



# Energy Act 2004

## 2004 CHAPTER 20

### PART 2

#### SUSTAINABILITY AND RENEWABLE ENERGY SOURCES

### CHAPTER 4

#### RENEWABLES OBLIGATIONS RELATING TO ELECTRICITY

#### **116 Issue of green certificates in Great Britain**

- (1) Section 32B of the 1989 Act (green certificates) is amended as follows.
- (2) In subsection (1), for “or to an electricity supplier” substitute “, to an electricity supplier or to a Northern Ireland supplier”.
- (3) After that subsection insert—

“(1A) A certificate is to certify either the matters within subsection (2) or the matters within subsection (2A).”
- (4) In subsection (2)—
  - (a) for “A certificate is to certify” substitute “The matters within this subsection are”;
  - (b) in paragraph (a), after “an electricity supplier” insert “or to a Northern Ireland supplier”.
- (5) After that subsection insert—

“(2A) The matters within this subsection are—

  - (a) that the generating station or, in the case of a certificate issued to an electricity supplier or to a Northern Ireland supplier, a generating station specified in the certificate, has generated from renewable sources the amount of electricity stated in the certificate;

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*Status: This is the original version (as it was originally enacted).*

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- (b) that the generating station in question is not a generating station mentioned in Article 54(1) of the Energy (Northern Ireland) Order 2003; and
  - (c) that the electricity has been supplied to customers in Northern Ireland.
- (2B) An order under section 32 must—
  - (a) prohibit the issue of a certificate certifying matters within subsection (2A) where the Northern Ireland authority has notified the Authority that it is not satisfied that the electricity in question has been supplied to customers in Northern Ireland; and
  - (b) require the revocation of such a certificate if the Northern Ireland authority so notifies the Authority at a time between the issue of the certificate and its production for the purposes of provision made by virtue of subsection (4).”
- (6) In subsection (3), after “Authority” insert “that certifies matters within subsection (2)”.
- (7) After that subsection insert—
  - “(4) An order under section 32 may provide that—
    - (a) in such cases as may be specified in the order, and
    - (b) subject to such conditions as may be so specified,an electricity supplier may (to the extent provided for in accordance with the order) discharge its renewables obligation (or its obligation in relation to a particular period) by the production to the Authority of a certificate that certifies matters within subsection (2A).
- (5) References in this section to the supply of electricity to customers in Northern Ireland shall be construed in accordance with the definition of “supply” in Article 3 of the Electricity (Northern Ireland) Order 1992.”
- (8) The requirements of section 32(7) of that Act (consultation before making an order) may be satisfied in the case of an order containing provision made by virtue of this section by consultation that took place wholly or partly before the commencement of this section.