



Energy Act 2023

2023 CHAPTER 52

PART 8

HEAT NETWORKS

CHAPTER 1

REGULATION OF HEAT NETWORKS

221 Heat networks regulations: other provision about procedure

- (1) The first regulations to be made by the Secretary of State under [section 219](#) are subject to the affirmative procedure.
- (2) The following regulations made by the Secretary of State are also subject to the affirmative procedure—
 - (a) regulations under [section 219](#) which are made by virtue of—
 - (i) [paragraph 12\(1\)](#) of [Schedule 18](#),
 - (ii) [paragraph 23\(1\)](#) of [Schedule 18](#),
 - (iii) [paragraph 32](#) of [Schedule 18](#),
 - (iv) any provision of [Part 8](#) or [9](#) of [Schedule 18](#), or
 - (v) [paragraph 56](#) of [Schedule 18](#);
 - (b) regulations under [section 219](#) which create an offence or provide for an increase in the penalty for an existing offence;
 - (c) regulations under [section 219](#) which amend or repeal any provision of legislation mentioned in [section 219\(5\)](#).
- (3) Any other regulations made by the Secretary of State under [section 219](#) are subject to the negative procedure.
- (4) The power of the Department to make regulations under [section 219](#) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 221. (See end of Document for details)

- (5) The first regulations to be made by the Department under [section 219](#) may not be made unless a draft of the regulations has been laid before and approved by a resolution of the Northern Ireland Assembly.
- (6) Regulations made by the Department under [section 219](#) containing any of the following regulations (whether alone or with other regulations) may not be made unless a draft of the regulations has been laid before and approved by a resolution of the Northern Ireland Assembly—
- (a) regulations under [section 219](#) which are made by virtue of—
 - (i) [paragraph 12\(1\) of Schedule 18](#),
 - (ii) [paragraph 32 of Schedule 18](#),
 - (iii) any provision of [Part 8 or 9 of Schedule 18](#), or
 - (iv) [paragraph 56 of Schedule 18](#);
 - (b) regulations under [section 219](#) which create an offence or provide for an increase in the penalty for an existing offence;
 - (c) regulations under [section 219](#) which amend or repeal any provision of Northern Ireland legislation.
- (7) Any other regulations made by the Department under [section 219](#) are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) [1954 \(c. 33 \(N.I.\)\)](#).

Commencement Information

- II** S. 221 in force at Royal Assent, see [s. 334\(2\)\(l\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 221.