
EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies agreements, and a description of agreements, relating to the generation, transmission or supply of electricity in Northern Ireland to which the Restrictive Trade Practices Act 1976 (“the 1976 Act”) is deemed not to apply and never to have applied. By virtue of section 100(1) of the Electricity Act 1989, electricity is treated as goods for the purposes of the 1976 Act and therefore agreements relating to the generation, transmission or supply of electricity may fall within the scope of the 1976 Act. This Order provides that the agreements specified in Part I of the Schedule to the Order, together with agreements meeting the description specified in Part II of the Schedule and satisfying the condition specified therein, will nevertheless fall outside the provisions of the 1976 Act.

The Order also amends the Electricity (Restrictive Trade Practices Act 1976) (Exemptions) Order 1990 (S.I.1990/759) (which exempts from the 1976 Act certain agreements containing restrictions or information provisions relating to compliance with specified codes of practice) so as to extend the effect of that Order to agreements relating to Northern Ireland.