

**2009 No. 556**

**ENERGY**

**The Energy Act 2008 (Consequential Amendments) Order 2009**

*Made* - - - - *7th March 2009*

*Laid before Parliament* *10th March 2009*

*Coming into force* - - *1st April 2009*

With the making of the Energy (Amendment) Order (Northern Ireland) 2009<sup>(a)</sup>, the Secretary of State makes the following Order in exercise of the power conferred by section 38(2) of the Energy Act 2008<sup>(b)</sup>:

**Citation and commencement**

1. This Order may be cited as the Energy Act 2008 (Consequential Amendments) Order 2009 and comes into force on 1st April 2009.

**Amendment of the Electricity Act 1989**

2.—(1) The Electricity Act 1989<sup>(c)</sup> is amended as follows.

(2) In section 32F (use of renewables obligation certificates issued in Northern Ireland) in subsection (2) for “Article 54” substitute “Articles 54 to 54D”.

(3) In section 32I (costs of the Authority and the Northern Ireland authority) in subsection (1)(b) for “55” substitute “55F”.

(4) In section 32K (renewables obligation order: general provision) in subsection (2) after “Energy Act 2008” insert “or certificates referred to in section 38(2)(b) of the Energy Act 2008 (Northern Ireland certificates issued under the Energy (Northern Ireland) Order 2003 before 1st April 2009)”.

7 March 2009

*Mike O'Brien*  
Minister of State  
Department of Energy and Climate Change

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(a) S.R. (NI) 2009 No 35.

(b) 2008 c.32.

(c) 1989 c.29. Sections 32 to 32M are substituted for sections 32 to 32C by section 37 of the Energy Act 2008 (c.32) from 1st April 2009 by the Energy Act 2008 (Commencement No. 1 and Savings) Order 2009 (S.I. 2009/45 (C. 4)).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends sections 32F, 32I and 32K of the Electricity Act 1989 (c.29) (“the Act”).

Section 37 of the Energy Act 2008 (c.32) replaces sections 32 to 32C of the Act with sections 32 to 32M from 1st April 2009. Sections 32F and 32I contain references to the Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6)). Following the making of the Energy (Amendment) Order (Northern Ireland) 2009 (S.R. (NI) 2009 No 35), these references need to be amended. Those amendments are made by this Order: see article 2(2) and (3).

Section 32K(2) of the Act has also been amended to allow transitional and saving provisions to be made in respect of certificates issued by the Northern Ireland Authority for Utility Regulation before 1st April 2009 under the Renewables Obligation Order (Northern Ireland) 2007 (S.R. (NI) 2007 No 104): see article 2(4).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

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