

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: The Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6)). (See end of Document for details)

SCHEDULES

SCHEDULE 14

REGULATORS: USE OF POWERS UNDER THE 1998 ACT

The Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6))

24 The Energy (Northern Ireland) Order 2003 is amended as follows.

Commencement Information

II Sch. 14 para. 24 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

25 (1) Article 42 (orders for securing compliance) is amended as follows.

(2) In paragraph (1), for “, (5) and” substitute “ and (5) to ”.

(3) In paragraphs (2) and (4), for “(5) and” substitute “ (5) to ”.

(4) In paragraph (5), omit sub-paragraph (b) and the “or” preceding it.

(5) After that paragraph insert—

“(5A) Before making a final order or making or confirming a provisional order in relation to a licence holder, the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.

(5B) The Authority shall not make a final order or make or confirm a provisional order in relation to a licence holder if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

(6) In paragraph (7)—

(a) in the words before sub-paragraph (a), after “(6)” insert “ or decides that it would be more appropriate to proceed under the Competition Act 1998 ”, and

(b) in sub-paragraph (a), after “satisfied” insert “ or has so decided ”.

Commencement Information

II Sch. 14 para. 25 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

26 In article 45 (financial penalties), for paragraph (3) substitute—

“(3) Before imposing a penalty under paragraph (1) or (2) the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.

(3A) The Authority shall not impose a penalty under paragraph (1) or (2) if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: The Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6)). (See end of Document for details)

.....

Commencement Information

I3 Sch. 14 para. 26 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: The Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6)).