STATUTORY INSTRUMENTS

1992 No. 231

The Electricity (Northern Ireland) Order 1992

PART II ELECTRICITY SUPPLY

Licensing of supply, etc.

Exemptions from Article 8

- **9.**—(1) The Department may, after consultation with the Director, by order grant exemption from sub-paragraph (a) $[^{F1}, [^{F2}(bb)]]$ (c) or (d)] of Article 8(1).
- (2) An exemption granted to persons of a particular class shall be published in such manner as the Department considers appropriate for bringing it to the attention of persons of that class.
 - [F3(3) An exemption granted under paragraph (1)—
 - (a) shall, if the order under paragraph (1) so provides, have effect for such period as may be specified in or determined under the order;
 - [F4(aa) may be granted subject to such conditions as appear to the Department to be requisite or expedient to ensure that the activity authorised by the exemption is carried out in compliance with the relevant requirements and prohibitions laid down by the Directive; and
 - (b) may be revoked or amended by a subsequent order under that paragraph.]
- (4) The requirement to consult imposed by paragraph (1) shall not apply to the granting of any exemptions which, having regard to the provisions of Article 8, need to be granted before that Article comes into operation.
- [F5(5)] If any condition pursuant to paragraph 3(aa) of an exemption granted to persons of a class is not complied with by any person of that class, the Department may give to that person a direction declaring that the exemption is revoked, so far as relating to that person, to such extent and as from such date as may be specified in the direction.]
 - F1 Words in art. 9(1) substituted (5.5.2007 for certain purposes otherwise 20.6.2007) by Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 (S.I. 2007/913 (N.I. 7)), arts. 1(3), 4(3); S.R. 2007/284, art. 2, Sch.; S.R. 2007/303, art. 2, Sch.
 - **F2** Word in art. 9(1) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 18(a)**
 - F3 Art. 9(3) substituted (5.5.2007) by Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 (S.I. 2007/913 (N.I. 7)), arts. 1(3), 12, Sch. 4 para. 2; S.R. 2007/284, art. 2, Sch.
 - F4 Art. 9(3)(aa) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), reg. 18(b)
 - F5 Art. 9(5) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), reg. 18(c)

Changes to legislation:

The Electricity (Northern Ireland) Order 1992, Section 9 is up to date with all changes known to be in force on or before 20 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:

- Instrument am. (ot.prosp.) by 1998 c. 41 s.66(5)Sch.10 Pt.III para.7
- Instrument am. (prosp.) by 1998 c. 41 s.66(5)Sch.10 Pt.V para.17
- Instrument rev. in pt. (prosp.) by 1998 c. 41 ss.66(5),74(3), Sch.10, Pt.V, para.17,
 Sch.14, Pt.II
- art. 9(3)(aa) words substituted by S.I. 2019/530 reg. 85(a) (This amendment not applied to legislation.gov.uk. Regs. 84-103 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(30))
- art. 9(3)(aa) words substituted by S.I. 2019/530 reg. 85(b) (This amendment not applied to legislation.gov.uk. Regs. 84-103 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(30))

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 10E(7) inserted by S.I. 2019/530 reg. 89(6) (This amendment not applied to legislation.gov.uk. Regs. 84-103 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(30))
- art. 10F(9)(10) inserted by S.I. 2019/530 reg. 90(6) (This amendment not applied to legislation.gov.uk. Regs. 84-103 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(30))
- art. 10K(8A) inserted by S.I. 2019/530 reg. 94(7) (This amendment not applied to legislation.gov.uk. Regs. 84-103 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(30))
- art. 11B(6)(7) inserted by S.I. 2019/530 reg. 99(4) (This amendment not applied to legislation.gov.uk. Regs. 84-103 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(30))
- art. 18(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 5(2)(b) (as substituted) by S.I. 2019/1245 reg. 22 (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- art. 31A(1A) inserted by S.I. 2019/530 reg. 100(3) (This amendment not applied to legislation.gov.uk. Regs. 84-103 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(30))
- art. 65(1A) inserted by S.I. 2006/2955 (N.I.) art. 3(2)
- art. 65(3)-(5) added by S.I. 2006/2955 (N.I.) art. 3(3)