STATUTORY INSTRUMENTS

2003 No. 419

The Energy (Northern Ireland) Order 2003

PART III

OBJECTIVES OF REGULATION OF ELECTRICITY AND GAS

Electricity

The principal objective and general duties of the Department and the Authority in relation to electricity

12.—(1) The principal objective of the Department and the Authority in carrying out their respective electricity functions is to protect the interests of consumers of electricity supplied by authorised suppliers, wherever appropriate by promoting effective competition between persons engaged in, or in commercial activities connected with, the generation, transmission **[**[F1], distribution**]** or supply of electricity.

[[F2](1A) The interests of consumers include their interests in the fulfilment by the Authority, when carrying out its functions as designated regulatory authority for Northern Ireland, of the objectives set out in Article 36(a) to (h) of the Electricity Directive.**]**

(2) The Department and the Authority shall carry out those functions in the manner which it considers is best calculated to further the principal objective, having regard to—

(a) the need to secure that all reasonable demands **[**[F3]in Northern Ireland or Ireland**]** for electricity are met; and

(b) the need to secure that licence holders are able to finance the activities which are the subject of obligations imposed by or under Part II of the Electricity Order or this Order **[**[F4].**]**

(c) [F5] . . . . . .

(3) In performing that duty, the Department or the Authority shall have regard to **[**[F6]the need to protect**]** the interests of—

(a) individuals who are disabled or chronically sick;

(b) individuals of pensionable age;

(c) individuals with low incomes; and

(d) individuals residing in rural areas;

but that is not to be taken as implying that regard may not be had to the interests of other descriptions of consumer.

(4) The Department and the Authority may, in carrying out any electricity functions, have regard to the interests of consumers in relation to gas **[**[F7]and in relation to water or sewerage services**]** .

(5) Subject to paragraph (2), the Department and the Authority shall carry out their respective electricity functions in the manner which it considers is best calculated—

(a) to promote the efficient use of electricity and efficiency and economy on the part of persons authorised by licences or exemptions to supply **[**[F8], distribute**]** or participate in the transmission of electricity;

(b) to protect the public from dangers arising from the generation, transmission **[**[F9], distribution**]** or supply of electricity;

[[F10](c) to secure a diverse, viable and environmentally sustainable long#term energy supply;**]**

(d) to promote research into, and the development and use of, new techniques by or on behalf of persons authorised by a licence to generate, supply **[**[F11], distribute**]** or participate in the transmission of electricity; and

(e) to secure the establishment and maintenance of machinery for promoting the health and safety of persons employed in the generation, transmission **[**[F12], distribution**]** or supply of electricity;

and shall have regard, in carrying out those functions, to the effect on the environment of activities connected with the generation, transmission **[**[F13], distribution**]** or supply of electricity.

[[F10](6) In carrying out their respective electricity functions the Department or the Authority shall not discriminate between persons whose activities consist of or include generating, supplying **[**[F14], distributing**]** or transmitting electricity as regards either rights or obligations.

(7) In this Article—

"electricity functions" means functions under Part II of the Electricity Order and functions under this Order relating to electricity; and

"environmental sustainability" includes the need to guard against climate change.**]**

F1 Words in art. 12(1) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 34(b)(i)**

F2 Art. 12(1A) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 39**

F3 Words in art. 12(2)(a) inserted (20.6.2007) by Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 (S.I. 2007/913 (N.I. 7)), arts. 1(3), 12, **Sch. 4 para. 9**; S.R. 2007/303, **art. 2**, Sch.

F4 Words in art. 12(2)(b) substituted (1.11.2007) by Electricity Regulations (Northern Ireland) 2007 (S.R. 2007/321), regs. 1(2), 61, **Sch. 3 para. 1** (with transitional provisions in Pt. IV)

F5 Art. 12(2)(c) repealed (1.11.2007) by Electricity Regulations (Northern Ireland) 2007 (S.R. 2007/321), regs. 1(2), 61, **Sch. 3 para. 1** (with transitional provisions in Pt. IV)

F6 Words in art. 12(3) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 3**

F7 Words in art. 12(4) added (1.4.2007) by Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)), arts. 1(2), 308(1), **Sch. 12 para. 48(14)** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

F8 Words in art. 12(5)(a) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 34(b)(ii)**

F9 Words in art. 12(5)(b) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 34(b)(i)**

F10 SR 2005/335

F11 Words in art. 12(5)(d) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 34(b)(ii)**

F12 Words in art. 12(5)(e) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 34(b)(i)**

F13 Words in art. 12(5) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 34(b)(i)**

F14 Words in art. 12(6) inserted (15.4.2011) by Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011 (S.R. 2011/155), **reg. 34(b)(iii)**

Status:
Point in time view as at 15/04/2011. This version of this provision has been superseded.

Changes to legislation:
The Energy (Northern Ireland) Order 2003, Section 12 is up to date with all changes known to be in force on or before 20 August 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.