
STATUTORY INSTRUMENTS

2003 No. 419 (N.I. 6)

The Energy (Northern Ireland) Order 2003

- - - - 27th February 2003

THE ENERGY (NORTHERN IRELAND) ORDER 2003

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Changes to legislation: The Energy (Northern Ireland) Order 2003 is up to date with all changes known to be in force on or before 04 April 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. (See end of Document for details) View outstanding changes

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— Membership

- 1. (1) The Authority shall consist of— (a) a chairman; and (b) not fewer than three...
 - Terms of appointment, remuneration, pensions, etc.
- 2. (1) Subject to this Schedule, the chairman and other members shall hold and vacate office...
- 2A A person holding office as chairman or other member shall not— (a) carry out any...
- 3. (1) No person shall be appointed to hold office as chairman or other member for...
- 4. (1) The Authority shall pay to the chairman and other members such remuneration, and such...
 - Staff
- 5. The Authority may, with the approval of the Department of Finance and Personnel of Finance...
 - Committees
- 6. (1) The Authority may establish committees and any committee of the Authority may establish sub-committees....
 - Proceedings, etc.

7. (1) The Authority may regulate its own procedure (including quorum). (2)
The Authority shall consult...
8. (1) The application of the seal of the Authority shall be authenticated by the signature...
 - Performance of functions
9. (1) Anything authorised or required to be done by the Authority may be done by—...
 - Rule-making authority
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SCHEDULE 2 — ORDERS ALTERING LICENSABLE ACTIVITIES

- Introductory
1. (1) In this Schedule references to an order are to an order under Article 39...
 - Application by Authority for order including new activities
 2. (1) If the Authority proposes to make an application for an order providing for activities...
 - References to CMA
 3. (1) A reference to the CMA under this paragraph shall require the CMA to investigate...
 - References under paragraph 3: time limits
 4. (1) Every reference under paragraph 3 shall specify a period (not longer than six months...
 - References under paragraph 3: application of Enterprise Act 2002
 5. (1) The following sections of Part 3 of the Enterprise Act 2002 shall apply, with...
 - Reports on references
 6. (1) In making a report on a reference under paragraph 3, the CMA shall include...
 - Application by Authority for order excluding activities
 7. (1) Before making an application for an order providing for activities to cease to be...
 - Consultation by Department about order excluding activities
 8. (1) If the Department proposes to make an order providing for activities to cease to...
 - Schedule 3—Amendments

SCHEDULE 4 — TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

- Abolition of Consumer Committee for Electricity
1. (1) The Consumer Committee for Electricity shall provide the Council with such information or assistance...
 - First financial year of Authority
 2. (1) If the period beginning with the day on which the Authority is established and...
 - First forward work programmes of Authority and Council

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3. (1) The Authority's first work programme required by Article 5(1) shall relate to the financial...
 - Last annual reports of the Directors
4. (1) After the abolition of the offices of Director General of Gas for Northern Ireland...
 - Investigations being carried out under the Electricity Order
5. (1) This paragraph applies to any matter— (a) being investigated by the Director General of...
 - Investigations being carried out under the Gas Order
6. (1) This paragraph applies to any matter— (a) being investigated by the Director General of...
 - Grant of new electricity transmission licence
7. (1) This paragraph applies in relation to any licence which— (a) is granted under Article...
8. (1) This paragraph applies in relation to any licence granted under Article 10(1)(b) of the...
 - Grant of new licence under Article 8(1)(a) of Gas Order
9. (1) This paragraph applies in relation to any licence granted under Article 8(1)(a) of the...
 - Modification of licences following Competition Commission report
10. Article 36 does not apply in relation to the modification of an electricity licence following...
11. Article 37 does not apply in relation to the modification of a gas licence following...
 - Enforcement
12. (1) Articles 42 to 44 and 51 (and the related repeals in Schedule 5) do...
 - Financial penalties
13. The power of the Authority under Article 45(1) or (2) is not exercisable in respect...
 - Consultation concerning common tariff
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 - Modification of existing licences
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 - References to Directors General
16. (1) This paragraph applies to any provision of this Order which— (a) contains a reference...
 - References to Office of Fair Trading
17. (1) This paragraph applies to any provision of this Order which— (a) contains a reference...
 - References to provisions of the Enterprise Act 2002
18. (1) Until the commencement of section 186 of the Enterprise Act 2002 the reference to...
 - Schedule 5—Repeals

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- art. 3A heading words substituted by [S.I. 2019/530 reg. 129\(2\)](#) (This amendment not applied to legislation.gov.uk. Reg. 129(2) substituted (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(42)(a))
- Sch. 2 para. 5(1A)(b) words substituted by S.I. 2019/93, Sch. 1 para. 11A(2) (as inserted) by [S.I. 2019/1245 reg. 26](#) (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.)
- Sch. 3 para. 20 omitted by [S.I. 2007/913 \(N.I.\) Sch. 4 para. 13](#) (Amendment not carried through - the text of the affected provision is not available on legislation.gov.uk)
- art. 2(2) words omitted by [S.I. 2019/530 reg. 128\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 128(a)(b) omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(41)(a))
- art. 2(2) words omitted by [S.I. 2019/530 reg. 128\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 128(a)(b) omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(41)(a))
- art. 2(2) words omitted by [S.I. 2019/530 reg. 128\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 128(c) substituted (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(41)(b))
- art. 3A(1) omitted by [S.I. 2019/530 reg. 129\(3\)](#) (This amendment not applied to legislation.gov.uk. Reg. 129(3) substituted (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(42)(b))
- art. 3A(2) words substituted by [S.I. 2019/530 reg. 129\(4\)](#) (This amendment not applied to legislation.gov.uk. Reg. 129(4)(5) omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(42)(c))
- art. 3A(3) omitted by [S.I. 2019/530 reg. 129\(5\)](#) (This amendment not applied to legislation.gov.uk. Reg. 129(4)(5) omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(42)(c))
- art. 6A omitted by [S.I. 2019/530 reg. 130](#) (This amendment not applied to legislation.gov.uk. Reg. 130 substituted (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(44))
- art. 8A(1) words substituted by [S.I. 2019/530 reg. 134\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 134(2)-(5) substituted for reg. 134(2)-(4) (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(47))
- art. 8A(1)(a) words substituted by [S.I. 2019/530 reg. 134\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 134(2)-(5) substituted for reg. 134(2)-(4) (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(47))
- art. 8A(1)(b) word substituted by [S.I. 2019/530 reg. 134\(2\)\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 134(2)-(5) substituted for reg. 134(2)-(4) (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(47))
- art. 8A(1)(b) words substituted by [S.I. 2019/530 reg. 134\(2\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Reg. 134(2)-(5) substituted for reg. 134(2)-(4) (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(47))
- art. 8A(1)(b) words substituted by [S.I. 2019/530 reg. 134\(2\)\(c\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 134(2)-(5) substituted for reg. 134(2)-(4) (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(47))

- art. 8A(2) omitted by [S.I. 2019/530 reg. 134\(3\)](#) (This amendment not applied to legislation.gov.uk. Reg. 134(2)-(5) substituted for reg. 134(2)-(4) (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(47))
- art. 8A(3) words omitted by [S.I. 2019/530 reg. 134\(4\)](#) (This amendment not applied to legislation.gov.uk. Reg. 134(2)-(5) substituted for reg. 134(2)-(4) (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(47))
- art. 12(1A) words substituted by [S.I. 2019/530 reg. 135\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 135 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))
- art. 12(1A) words substituted by [S.I. 2019/530 reg. 135\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 135 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))
- art. 12(5A)(a) words inserted by [S.I. 2019/530 reg. 135\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 135 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))
- art. 12(5A)(b) words substituted by [S.I. 2019/530 reg. 135\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 135 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))
- art. 12(5B) omitted by [S.I. 2019/530 reg. 135\(5\)](#) (This amendment not applied to legislation.gov.uk. Reg. 135 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))
- art. 12(5C) omitted by [S.I. 2019/530 reg. 135\(5\)](#) (This amendment not applied to legislation.gov.uk. Reg. 135 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))
- art. 13(1B) words substituted by [S.I. 2019/530 reg. 136\(2\)](#) (This amendment not applied to legislation.gov.uk. Reg. 136 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))
- art. 13(4) words substituted by [S.I. 2019/530 reg. 136\(3\)](#) (This amendment not applied to legislation.gov.uk. Reg. 136 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))
- art. 38(1) words substituted by [S.I. 2019/530 reg. 139\(2\)](#) (This amendment not applied to legislation.gov.uk. Reg. 139(2) omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(50))
- art. 45(9)(b) words substituted by [S.I. 2019/530 reg. 140\(1\)](#) (This amendment not applied to legislation.gov.uk. Reg. 140(1) substituted (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(51)(a))
- art. 54B(4)(f) words substituted by [S.I. 2019/530 reg. 141](#) (This amendment not applied to legislation.gov.uk. Reg. 141 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(52))
- art. 56(1)(b)(i) words substituted by [S.I. 2019/530 reg. 143\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 143(a) substituted (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(53))
- art. 62(1)(g) words substituted by [S.I. 2019/530 reg. 144](#) (This amendment not applied to legislation.gov.uk. Reg. 144 substituted (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(54))
- art. 63(4)(i) words substituted by [S.I. 2019/530 reg. 145](#) (This amendment not applied to legislation.gov.uk. Reg. 145 substituted (15.9.2020) by S.I. 2020/1016, regs. 1(2), 3(55))
- art. 66(1) words inserted by [2006 c. 33 Sch. 4 para. 15](#)

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. 12(5AA) inserted by [S.I. 2019/530 reg. 135\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 135 omitted (15.9.2020) by virtue of S.I. 2020/1016, regs. 1(2), 3(49))