
STATUTORY INSTRUMENTS

2007 No. 913

The Electricity (Single Wholesale Market) (Northern Ireland) Order 2007

Introductory

Title and commencement

1.—(1) This Order may be cited as the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007.

(2) This Article and Article 2 come into operation one week after the day on which this Order is made.

(3) The remaining provisions of this Order come into operation on such day or days as the Department may by order appoint.

(4) An order under paragraph (3) may contain such transitional or saving provisions as the Department thinks appropriate.

Subordinate Legislation Made

P1 [Art. 1\(3\)](#) power partly exercised: 5.5.2007 appointed for specified provisions by [S.R. 2007/284, art. 2, Sch.](#); 20.6.2007 appointed for specified provisions by [S.R. 2007/303, art. 2, Sch.](#); 1.11.2007 appointed for specified provisions by [S.R. 2007/444, art. 2, Sch. 1](#)

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

“the Authority” means the Northern Ireland Authority for Utility Regulation;

“consumers” include both existing and future consumers;

“the Department” means the Department of Enterprise, Trade and Investment;

“the Electricity Order” means the Electricity (Northern Ireland) Order 1992 (NI 1);

[^{F1}“the Electricity Market Regulation” means Regulation [\(EC\) 714/2009](#) of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity;]

“the Energy Order” means the Energy (Northern Ireland) Order 2003 (NI 6);

“modifications” includes additions, omissions, amendments and substitutions;

[^{F2}“the SEM” means the Single Electricity Market, that is to say the arrangements in Northern Ireland and Ireland—

(a) initially described in the Memorandum of Understanding mentioned in paragraph (3);

- (b) designed to promote the establishment and operation of a single competitive wholesale electricity market in Northern Ireland and Ireland; and
- (c) which allow for the efficient application of the EU rules for cross border trade in electricity contained within or adopted pursuant to the Electricity Market Regulation as supplemented by—
 - (i) network codes established under Article 6 of that Regulation, and
 - (ii) guidelines adopted under Article 18 of that Regulation;]

“the SEM Committee” means the Committee established by Article 6(1);

“SEM matter” shall be construed in accordance with Article 6(3);

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33).

(3) The Memorandum of Understanding mentioned above is the Memorandum of Understanding relating to the establishment and operation of a single competitive wholesale electricity market in Northern Ireland and Ireland —

- (a) which was signed on behalf of the Government of Ireland on 5th December 2006 and on behalf of the Government of the United Kingdom on 6th December 2006, and
- (b) a copy of which was presented to Parliament by the Secretary of State by command of Her Majesty on 8th December 2006.

(4) Expressions used in this Order which are defined in Article 3 of the Electricity Order have the meanings given by that Article.

(5) In this Order, and in any provision of the Electricity Order or the Energy Order amended by this Order—

“CER” means the Commission for Energy Regulation (being a body established by Act of the Oireachtas);

[^{F3}“the Irish Minister” means the Minister for Communications, Energy and Natural Resources (being a Minister of the Government of Ireland).]

(6) The Department may by order subject to negative resolution make such amendments to the definitions in paragraph (5) as appear to it to be necessary or expedient in consequence of any change in the law of Ireland.

[^{F4}(7) In this Order, any reference to the Electricity Market Regulation, to network codes established under Article 6 of that Regulation or to guidelines adopted under Article 18 of that Regulation shall be construed as references to those instruments as amended from time to time.]

Textual Amendments

- F1** Words in art. 2(2) inserted (31.3.2016) by [The Electricity \(Single Wholesale Market\) Order \(Amendment\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/129\)](#), regs. 1, **4(a)**
- F2** Words in art. 2(2) substituted (31.3.2016) by [The Electricity \(Single Wholesale Market\) Order \(Amendment\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/129\)](#), regs. 1, **4(b)**
- F3** Art. 2(5): definition of "the Irish Minister" substituted (30.10.2007) by [Electricity \(Single Wholesale Market\) \(Amendment\) Order \(Northern Ireland\) 2007 \(S.R. 2007/458\)](#), **art. 2**
- F4** Art. 2(7) inserted (31.3.2016) by [The Electricity \(Single Wholesale Market\) Order \(Amendment\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/129\)](#), regs. 1, **5**

Changes to legislation:

There are currently no known outstanding effects for the The Electricity (Single Wholesale Market) (Northern Ireland) Order 2007, Introductory.