

EXPLANATORY NOTE

(This note is not part of the Order)

Article 39 of the Electricity (Northern Ireland) Order [1992 No. 232 N.I. 1](#) provides that a generating station with a capacity of more than 10 megawatts (“the permitted capacity”) shall not be constructed, extended or operated except in accordance with a consent granted by the Department of Enterprise, Trade and Investment (“the Department”).

Under Article 39(3) the Department may by order alter the permitted capacity. This Order reduces the permitted capacity to one megawatt in the case of offshore generating stations wholly or mainly driven by wind or water.