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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 1**

**The Gas and Electricity Licence Modification  
and Appeals Regulations (Northern Ireland) 2015**

**PART 4**

**TRANSITIONAL AND SAVINGS PROVISIONS**

**Transitional and savings provision for the Gas Order**

**5.—(1)** The following provisions apply notwithstanding any amendment or repeal made by these Regulations.

(2) Where the Authority has made a reference under Article 15 of the Gas Order before the operative date, Articles 15 to 17A of the Gas Order shall continue to have effect on and after the operative date in relation to the reference until any actions required or permitted under those Articles in connection with the reference have been taken.

(3) Paragraphs (4) and (5) apply where—

- (a) the Authority has given notice under Article 14(3) of the Gas Order before the operative date; and
- (b) the period specified in the notice by virtue of Article 14(3)(c) of that Order has not ended before that date.

(4) On and after the operative date the notice is to be treated for the purposes of Articles 14 to 14G of, and Schedule 3A to, the Gas Order as if it were a notice given under Article 14(2) of that Order.

(5) Any representations or objections made in accordance with Article 14(3)(c) of the Gas Order in connection with the notice before the operative date are to be treated on and after the operative date as if they were representations made in accordance with Article 14(2)(d) of that Order.

(6) The following references to provisions of the Gas Order are to those provisions as amended or inserted by these Regulations—

- (a) the references in paragraph (4);
- (b) the reference to Article 14(2)(d) in paragraph (5).

(7) In this regulation “operative date” means the date of coming into operation of regulation 3.

**Transitional and savings provision for the Electricity Order**

**6.—(1)** The following provisions apply notwithstanding any amendment or repeal made by these Regulations.

(2) Where the Authority has made a reference under Article 15 of the Electricity Order before the operative date, Articles 15 to 17A of the Electricity Order shall continue to have effect on and after the operative date in relation to the reference until any actions required or permitted under those Articles in connection with the reference have been taken.

(3) Paragraphs (4) and (5) apply where—

- (a) the Authority has given notice under Article 14(2) of the Electricity Order before the operative date; and
- (b) the period specified in the notice by virtue of Article 14(2)(c) of that Order has not ended before that date.

(4) On and after the operative date the notice is to be treated for the purposes of Articles 14 to 14G of, and Schedule 5A to, the Electricity Order as if it were a notice given under Article 14(2) of that Order.

(5) Any representations or objections made in accordance with Article 14(2)(c) of the Electricity Order in connection with the notice before the operative date are to be treated on and after the operative date as if they were representations made in accordance with Article 14(2)(d) of that Order.

(6) The following references to provisions of the Electricity Order are to those provisions as amended or inserted by this Part—

- (a) the references in paragraph (4);
- (b) the reference to Article 14(2)(d) in paragraph (5).

(7) In this regulation “operative date” means the date of coming into operation of regulation 4.

#### **Modification of existing gas licences**

7.—(1) The Authority, with the consent of the Department, may by notice in writing served on the licence holder make such modifications to the conditions of an existing gas licence which the Authority considers requisite or expedient in consequence of the coming into operation of these Regulations.

- (2) A notice under paragraph (1) may—
- (a) revoke or modify such conditions of, or
  - (b) include such new conditions in,

an existing gas licence as the Authority considers requisite or expedient for the purposes of that paragraph.

(3) Before making modifications under this regulation, the Authority shall consult the holders of the licences being modified and such other persons as it considers appropriate.

(4) The power to make modifications under this regulation may not be exercised after the end of the period of 6 months beginning with the day on which this regulation comes into operation.

(5) Nothing in this regulation prejudices the generality of any other power to modify a gas licence.

#### **Modification of existing electricity licences**

8.—(1) The Authority, with the consent of the Department, may by notice in writing served on the licence holder make such modifications to the conditions of an existing electricity licence which the Authority considers requisite or expedient in consequence of the coming into operation of these Regulations.

- (2) A notice under paragraph (1) may—
- (a) revoke or modify such conditions of, or
  - (b) include such new conditions in,

an existing electricity licence as the Authority considers requisite or expedient for the purposes of that paragraph.

(3) Before making modifications under this regulation, the Authority shall consult the holders of the licences being modified and such other persons as it considers appropriate.

(4) The power to make modifications under this regulation may not be exercised after the end of the period of 6 months beginning with the day on which this regulation comes into operation.

(5) Nothing in this regulation prejudices the generality of any other power to modify an electricity licence.