

Draft Order laid before the Scottish Parliament under section 32(9) of the Electricity Act 1989 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

ELECTRICITY

The Renewables Obligation (Scotland) Amendment Order 2008

Made - - - - 2008
Coming into force - - 1st April 2008

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 32 and 32A of the Electricity Act 1989(1) and all other powers enabling them to do so.

In accordance with section 32(7) of that Act, the Scottish Ministers have consulted the Gas and Electricity Markets Authority, the Gas and Electricity Consumer Council, electricity suppliers to whom this Order applies, and such generators of electricity from renewable sources and other persons as they consider appropriate.

In accordance with section 32(9) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Renewables Obligation (Scotland) Amendment Order 2008 and comes into force on 1st April 2008.

Amendments to the Renewables Obligation (Scotland) Order 2007

2.—(1) The Renewables Obligation (Scotland) Order 2007(2) is amended as follows.

(2) In paragraphs (3)(a), (4) and (6) of article 4 (the amount of the renewables obligation) for “the Department of Trade and Industry”, where it occurs, substitute “the Secretary of State”.

(3) In article 24(4)(b) (revocation of SROCs) omit “subject to subparagraph (c),”.

(1) 1989 c. 29. Section 62 of the Utilities Act 2000 (c. 27) substituted a new section 32 of the Electricity Act 1989 for the section 32 which was originally enacted. The new section 32 of the Electricity Act 1989 has subsequently been amended by sections 115 and 119 of the Energy Act 2004 (c. 20) and section 24 of the Climate Change and Sustainable Energy Act 2006 (c. 19) (“the 2006 Act”). Section 63 of the Utilities Act 2000 inserted new section 32A of the Electricity Act 1989, which has been amended by section 119 of the Energy Act 2004 and section 24 of the 2006 Act. The functions of the Secretary of State, in respect of sections 32 to 32A (as most recently amended by the 2006 Act) were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) (No. 3) Order 2006 (S.I.2006/3258), article 2.

(2) S.S.I. 2007/267.

(4) For Schedule 1 (amount of the renewables obligation) of the Order substitute the Schedule to this Order.

St Andrew's House,
Edinburgh
2008

A member of the Scottish Executive

SCHEDULE

Article 2(4)

“SCHEDULE 1

Articles 4(2) and 5

AMOUNT OF THE RENEWABLES OBLIGATION

<i>Obligation period</i>	<i>Percentage of total supplies</i>		
	<i>Wave requirement</i>	<i>Tidal requirement</i>	<i>Total obligation</i>
1st April 2007 to 31st March 2008	0.00	0.00	7.9
1st April 2008 to 31st March 2009	0.00	0.00	9.1
1st April 2009 to 31st March 2010	0.06	0.06	9.7
1st April 2010 to 31st March 2011	0.12	0.12	10.4
1st April 2011 to 31st March 2012	0.18	0.18	11.4
1st April 2012 to 31st March 2013	0.24	0.24	12.4
1st April 2013 to 31st March 2014	0.30	0.30	13.4
1st April 2014 to 31st March 2015	0.35	0.35	14.4
1st April 2015 to 31st March 2016	0.35	0.35	15.4
Each subsequent period of 12 months ending with the period of 12 months ending on 31st March 2027	0.35	0.35	15.4”

EXPLANATORY NOTE*(This note is not part of the Order)*

This Order amends the Renewables Obligation (Scotland) Order 2007.

Article 2(2) makes amendments in relation to the former Department of Trade and Industry.

Article 2(3) corrects a previous drafting error.

Article 2(4) replaces Schedule 1 thereby introducing adjustments to the minimum wave and tidal requirements falling to suppliers as part of their renewables obligation.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Renewables Obligation (Scotland) Amendment Order 2008 No. 132