
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 173

The Renewables Obligation (Scotland) Order 2006

PART 9

Revocation, Transitional and Savings

Revocation, transitional and savings

32.—(1) Subject to paragraphs (2) to (15), the 2005 Order is hereby revoked.

(2) The 2005 Order shall continue to apply in respect of the renewables obligation of each designated electricity supplier to produce to the Authority evidence in accordance with the terms of article 3 of the 2005 Order, before the specified day of 1st October 2006; and for the purposes of this article, the first line in the column headed “Obligation period”, and the first percentage specified in the column headed “Percentage of total supplies” in Schedule 1 to the 2005 Order shall continue to apply.

(3) The 2005 Order shall continue to apply in respect of the obligations of each designated electricity supplier in terms of article 6(5) of the 2005 Order to furnish information to the Department of Trade and Industry by no later than 20th June 2006.

(4) The 2005 Order shall continue to apply in respect of the obligations of each designated electricity supplier in terms of article 6(6) of the 2005 Order to inform the Authority before 7th August 2006 of the amount in megawatt hours of its renewables obligation in respect of the obligation period which ended before 7th August 2006 and the amount of all electricity supplied by that designated electricity supplier to customers in Scotland during that obligation period.

(5) The 2005 Order shall continue to apply in respect of the ability of a designated electricity supplier to discharge its renewables obligation in relation to the obligation period ending on 31st March 2006 by making a payment to the Authority before the specified day of 1st October 2006, in accordance with the terms of article 7 of the 2005 Order.

(6) The 2005 Order shall continue to apply in respect of the obligations of the Authority to pay out the buy-out fund, by 1st December 2006, in accordance with the terms of article 15 of the 2005 Order.

(7) The 2005 Order shall continue to apply in respect of the ability of a designated electricity supplier to discharge its renewables obligation in relation to the obligation period ending on 31st March 2006 by producing to the Authority eligible NIROCs before the specified day of 1st October 2006, in accordance with the terms of article 8 of the 2005 Order.

(8) The 2005 Order shall continue to apply in respect of the ability of a designated electricity supplier to discharge its renewables obligation in relation to the obligation period ending on 31st March 2006 by producing to the Authority certificates issued by the Authority certifying the matters in section 32B(2A) of the Act before the specified day of 1st October 2006, in accordance with the terms of article 9 of the 2005 Order.

(9) The 2005 Order shall continue to apply in respect of the ability of a designated electricity supplier to be treated as having discharged its renewables obligation in relation to the obligation period ending on 31st March 2006 by making a late payment to the Authority before the end of the late payment period in question, in accordance with the terms of article 17 of the 2005 Order.

(10) The 2005 Order shall continue to apply in respect of the obligations of the Authority to notify any designated electricity supplier that has not discharged its renewables obligation in full by the specified day of 1st October 2006 relating to the obligation period ending on 31st March 2006, and to what extent, in accordance with the terms of article 17 of the 2005 Order.

(11) The 2005 Order shall continue to apply in respect of the obligations of the Authority to pay out the late payment fund, by 1st February 2007 in accordance with the terms of article 17 of the 2005 Order.

(12) The 2005 Order shall continue to apply in respect of the obligations of the Authority to notify to the Northern Ireland Authority the information detailed in article 16 of the 2005 Order, in accordance with the terms of that article of the 2005 Order.

(13) The 2005 Order shall continue to apply in respect of all the obligations of the Authority and designated electricity suppliers referred to in article 18 of the 2005 Order in accordance with the terms of that article and insofar as those obligations relate to a relevant shortfall occurring in the obligation period ending on 31st March 2006.

(14) For the purposes of paragraph (13), the first line in the column headed "Obligation period" and the first amount specified in the column headed "Amount" in Schedule 4 to the 2005 Order shall continue to apply.

(15) The 2005 Order shall continue to apply in respect of all the functions of the Authority referred to in article 19 of the 2005 Order insofar as they relate to the obligation period ending on 31st March 2006.