



# Northern Ireland (Miscellaneous Provisions) Act 2006

## 2006 CHAPTER 33

### PART 5

#### MISCELLANEOUS

#### **23 Single wholesale electricity market**

- (1) Her Majesty may by Order in Council make provision for giving effect to any agreement or arrangement—
  - (a) which has been entered into between Her Majesty's Government and the Government of Ireland,
  - (b) which relates to the establishment or operation of a single wholesale electricity market in Northern Ireland and Ireland, and
  - (c) a copy of which has been presented to Parliament by the Secretary of State by command of Her Majesty.
- (2) An Order in Council under this section may—
  - (a) amend, repeal or revoke any provision made by or under an Act of Parliament or Northern Ireland legislation (whenever passed or made);
  - (b) confer powers on bodies or persons specified in, or appointed under or by virtue of, the Order, including powers to make statutory rules (within the meaning of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)));
  - (c) create offences under the law of Northern Ireland;
  - (d) make provision which applies generally or only in specified cases or circumstances;
  - (e) make different provision for different cases or circumstances;
  - (f) make such consequential, incidental, supplementary or transitional provision as appears to Her Majesty to be necessary or expedient.

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**Changes to legislation:** There are currently no known outstanding effects for the Northern Ireland (Miscellaneous Provisions) Act 2006, Section 23. (See end of Document for details)

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- (3) Where an Order in Council under this section creates an offence, it must make provision as to the mode of trial and punishment of offenders; but there is no power for the Order—
- (a) to impose a maximum term of imprisonment, on summary conviction, of more than three months;
  - (b) to impose a maximum fine, on summary conviction, of more than the statutory maximum; or
  - (c) to impose a maximum term of imprisonment, on conviction on indictment, of more than two years.
- (4) No recommendation is to be made to Her Majesty to make an Order under this section unless a draft of the Order has been laid before and approved by resolution of each House of Parliament.

**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland (Miscellaneous Provisions) Act 2006, Section 23.