
STATUTORY INSTRUMENTS

1992 No. 232

NORTHERN IRELAND

**The Electricity (Northern Ireland
Consequential Amendments) Order 1992**

Made - - - - 11th February 1992

Coming into operation in accordance with Article 1(2)

At the Court at Buckingham Palace, the 11th day of February 1992

Present

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by section 38(2) of the Northern Ireland Constitution Act 1973(1) as extended by paragraph 1(7) of Schedule 1 to the Northern Ireland Act 1974(2), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

Title, commencement and extent

1.—(1) This Order may be cited as the Electricity (Northern Ireland Consequential Amendments) Order 1992.

(2) This Order comes into force on such day or days as may be appointed by order made under Article 1(2) of the Electricity (Northern Ireland) Order 1992(3).

(3) Article 2 extends to Northern Ireland only, Article 4 extends to England and Wales and to Scotland and the remaining provisions extend to the whole of the United Kingdom.

Stamp duty exemption for certain contracts

2. Electricity shall be treated as goods for the purposes of section 59 of the Stamp Act 1891(4) (certain contracts chargeable as conveyances on sale).

(1) 1973 c. 36; section 38 was amended by paragraph 6 of Schedule 2 to the Northern Ireland Act 1982 (c. 38).

(2) 1974 c. 28.

(3) S.I.1992/231 (NI 1). Provision is made by Article 1(2) and (3) of that Order for the coming into force of this Order.

(4) 1891 c. 39.

Amendment of Financial Services Act 1986

3. In section 152 of the Financial Services Act 1986⁽⁵⁾, after subsection (4) there shall be inserted the following subsection—

“(4A) Where—

- (a) the same document contains particulars relating to the securities of two or more successor companies within the meaning of Part III of the Electricity (Northern Ireland) Order 1992; and
- (b) any person’s responsibility for any information included in the document is stated in the document to be confined to its inclusion as part of the particulars relating to the securities of any one of those companies,

that person shall not be treated as responsible for that information in so far as it is stated in the document to form part of the particulars relating to the securities of any other of those companies.”.

Amendment of Trustee investments Act 1961

4. In Part IV of Schedule 1 to the Trustees Investments Act 1961⁽⁶⁾, in paragraph 3 at the end there shall be inserted the words—

“For the purposes of sub-paragraph (b) of this paragraph in relation to investment in shares or debentures of a successor company within the meaning of the Electricity (Northern Ireland) Order 1992 the company shall be deemed to have paid a dividend as mentioned in that sub-paragraph—

- (iii) in every year preceding the calendar year in which the transfer date within the meaning of Part III of that Order of 1992 falls (“the first investment year”) which is included in the relevant five years; and
- (iv) in the first investment year, if that year is included in the relevant five years and that company does not in fact pay such a dividend in that year; and

“the relevant five years” means the five years immediately preceding the year in which the investment in question is made or proposed to be made.”.

Amendment of Electricity Act 1989

5. In section 100 of the Electricity Act 1989⁽⁷⁾, after subsection (5) there shall be inserted the following subsection—

“(6) In the application of this section to Northern Ireland, for the reference in subsection (3) above to the Director there shall be substituted a reference to the Director General of Electricity Supply for Northern Ireland.”.

G. I. de Deney
Clerk of the Privy Council

⁽⁵⁾ 1986 c. 60.
⁽⁶⁾ 1961 c. 62.
⁽⁷⁾ 1989 c. 29.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to certain Acts applying in Northern Ireland, in England and Wales and Scotland and in the United Kingdom as a whole, being amendments consequential on the Electricity (Northern Ireland) Order 1992.