
STATUTORY INSTRUMENTS

2003 No. 3318

ELECTRICITY

**The Electricity (Exemption from the Requirement
for a Generation Licence) (No. 2) Order 2003**

Made - - - - *17th December 2003*
Laid before Parliament *19th December 2003*
Coming into force - - *11th January 2004*

The Secretary of State, in exercise of the powers conferred on her by section 5 of the Electricity Act 1989(1) and after giving notice under and considering any representations in accordance with section 5(2) of that Act, hereby makes the following Order:—

Citation, commencement and extent

1.—(1) This Order may be cited as the Electricity (Exemption from the Requirement for a Generation Licence) (No. 2) Order 2003 and shall come into force on 11th January 2004.

(2) This Order does not extend to Scotland.

Interpretation

2. In this Order—

“the Act” means the Electricity Act 1989;

“Cambrian Wind Energy” means Cambrian Wind Energy Limited, registered in England and Wales with number 3343483;

“Cefn Croes generating station” means the wind farm known as Cefn Croes Wind Farm situated at Ceredigion in Wales;

“Global Renewable Energy Partners” means Global Renewable Energy Partners UK Marine Limited, registered in England and Wales with number 04130301;

“licensed generator” means the holder of a licence under section 6(1)(a)(2) of the Act;

“licensed transmitter” means the holder of a licence under section 6(1)(b) of the Act;

(1) 1989 c. 29; section 5 was substituted by section 29 of the Utilities Act 2000 (c. 27).

(2) Section 6 was substituted by section 30 of the Utilities Act 2000.

“Kentish Flats generating station” means the offshore wind farm known as Kentish Flats Offshore Wind Farm situated in the outer Thames Estuary at Kentish Flats approximately 8.5 kilometres north of Herne Bay, Kent; and

“total system” means the transmission system in England and Wales of the licensed transmitter and all distribution systems in England and Wales.

Exemption from section 4(1)(a) of the Act

3. Exemption is granted from section 4(1)(a) of the Act to Cambrian Wind Energy in respect of the Cefn Croes generating station.

4. Exemption is granted from section 4(1)(a) of the Act to Global Renewable Energy Partners in respect of the Kentish Flats generating station.

Conditions on exemption

5.—(1) The exemption granted by article 3 to Cambrian Wind Energy is subject to compliance with the conditions specified in paragraph (2) below.

- (a) (2) (a) Cambrian Wind Energy is not a licensed generator.
- (b) the Cefn Croes generating station is connected to the total system and is not normally capable of exporting more electrical power than 100 megawatts to the total system, disregarding power temporarily provided in excess of 100 megawatts due to technical circumstances outside the reasonable control of Cambrian Wind Energy.

6.—(1) The exemption granted by article 4 to Global Renewable Energy Partners is subject to compliance with the conditions specified in paragraph (2) below.

- (a) (2) (a) Global Renewable Energy Partners is not a licensed generator.
- (b) The Kentish Flats generating station is connected to the total system and is not normally capable of exporting more electrical power than 100 megawatts to the total system, disregarding power temporarily provided in excess of 100 megawatts due to technical circumstances outside the reasonable control of Global Renewable Energy Partners.

Stephen Timms,
Minister of State for Energy, E-commerce and
Postal Services,
Department of Trade and Industry

17th December 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants an exemption from the requirements of section 4(1) of the Electricity Act 1989 (which prohibits the generation of electricity without a licence or exemption) to Cambrian Wind Energy Limited in respect of the plant known as Cefn Croes Wind Farm, and to Global Renewable Energy Partners UK Marine Limited in respect of the plant known as Kentish Flats Offshore Wind Farm. The Order does not extend to Scotland.

A regulatory impact assessment in respect of exemptions from the requirements of section 4(1)(a) of the Electricity Act 1989 was prepared in October 2001 and can be obtained from Energy Markets Unit, Room 2109, Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET. Copies have been placed in the libraries of both Houses of Parliament.