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STATUTORY INSTRUMENTS

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**2019 No. 106**

**ELECTRICITY, ENGLAND AND WALES**

**The Electricity (Individual Exemptions from the Requirement for a Transmission Licence) (England and Wales) Order 2019**

<i>Made</i>	- - - -	<i>21st January 2019</i>
<i>Laid before Parliament</i>		<i>28th January 2019</i>
<i>Coming into force</i>	- -	<i>19th February 2019</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 5(1) of the Electricity Act 1989(1).

The Secretary of State has given notice of the proposal to make this Order in accordance with section 5(2) and (3) of that Act and has considered representations made in respect of the proposal.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Electricity (Individual Exemptions from the Requirement for a Transmission Licence) (England and Wales) Order 2019 and comes into force on 19th February 2019.

(2) In this Order, “the Act” means the Electricity Act 1989.

**Exemptions from section 4(1)(b) of the Act (prohibition on unlicensed transmission of electricity for supply)**

2.—(1) Each person described in the first column of the table is granted exemption from section 4(1)(b) of the Act(2) (prohibition on unlicensed transmission of electricity for supply) in respect of transmission taking place over the relevant transmission system connected to the generating station described in the corresponding entry in the second column for the period described in paragraph (2).

(2) The period in this paragraph, in respect of each person named in the first column of the table—

- (a) begins with the date specified in the corresponding entry in the third column; and
- (b) ends with the date specified in the corresponding entry in the fourth column.

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(1) 1989 c. 29. Section 5 was substituted by section 29 of the Utilities Act 2000 (c. 27) and amended by section 145(1) and (4) of the Energy Act 2004 (c. 20) (“the 2004 Act”), S.I. 2012/2400 and S.I. 2014/631.

(2) Section 4(1)(b) was substituted by section 135(1) and (2) of the 2004 Act.

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(3) But if the transmission system connected to the generating station described in the second column of the table is transferred to a successful bidder before the date specified in the fourth column of the table, the exemption ceases to apply on the day after the day on which the transfer is completed.

(4) In this article—

- (a) “successful bidder” means a person to whom, as a result of a tender exercise, an offshore transmission licence within the meaning of section 6C(5)(3) of the Act (competitive tenders for offshore transmission licences) has been or is to be granted in respect of the relevant transmission system;
- (b) “relevant transmission system” means, in relation to a person described in the first column of the table, the transmission system connected to the generating station described in the corresponding entry in the second column of the table.

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>Name of person</i>	<i>Description of generating station</i>	<i>Exemption start date</i>	<i>Exemption end date</i>
Race Bank Wind Farm Limited, a company registered in England and Wales with company number 05017828.	Race Bank Offshore Wind Farm located approximately 33.3 kilometres from the shore, off the North Norfolk coast, its coordinates at its central point being Latitude 53.276479 and Longitude 0.841785.	12th March 2019	9th November 2019
Galloper Wind Farm Limited, a company registered in England and Wales with company number 07320597.	Galloper Offshore Wind Farm located approximately 37.3 kilometres from the shore, off the Suffolk coast, its coordinates at its central point being Latitude 51.893 and Longitude 2.034.	13th September 2019	12th March 2020
Walney Extension Limited, a company registered in England and Wales with company number 07306956.	Walney Extension Wind Farm located approximately 29 kilometres from the shore, in the Irish Sea, off Walney Island coast in Cumbria, its coordinates at its central point being Latitude 54.087619 and Longitude -3.737710.	21st September 2019	12th June 2020
Rampion Offshore Wind Limited, a company registered in England and Wales with company number 07199847.	Rampion Offshore Wind Farm located approximately 17.2 kilometres from the shore, in the English Channel, off the Sussex coast, its coordinates at its central point being Latitude 50.668 and Longitude -0.276.	21st May 2019	27th November 2020

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(3) Section 6C was inserted by section 92 of the 2004 Act.

21st January 2019

Claire Perry  
Minister of State  
Department for Business, Energy and Industrial  
Strategy

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## EXPLANATORY NOTE

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

This Order grants exemptions from section 4(1)(b) of the Electricity Act 1989 (c. 29), which prohibits the transmission of electricity for supply without a licence. The companies granted exemptions are Race Bank Wind Farm Limited in respect of Race Bank Offshore Wind Farm, Galloper Wind Farm Limited in respect of Galloper Offshore Wind Farm, Walney Extension Limited in respect of Walney Extension Wind Farm and Rampion Offshore Wind Limited in respect of Rampion Offshore Wind Farm.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

An Explanatory Memorandum has been prepared and is available alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk).