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STATUTORY INSTRUMENTS

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**2019 No. 930**

**ELECTRICITY**

**The Electricity (Individual Exemptions from the Requirement for a Generation Licence) Order 2019**

<i>Made</i>	- - - -	<i>13th May 2019</i>
<i>Laid before Parliament</i>		<i>15th May 2019</i>
<i>Coming into force</i>	- -	<i>6th June 2019</i>

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

The Secretary of State has given notice of the proposal to make this Order in accordance with sections 5(2) and 5(3) of that Act, and consulted with the Scottish Ministers(2). No representations in respect of the proposal have been made.

**Citation and commencement**

1. This Order may be cited as the Electricity (Individual Exemptions from the Requirement for a Generation Licence) Order 2019 and comes into force on 6th June 2019.

**Interpretation**

2. In this Order—

“the Act” means the Electricity Act 1989;

“Blackcraig Wind Farm” means the electricity generating station known as Blackcraig Wind Farm in Dumfries and Galloway, Scotland, whose entrance is situated at Ordnance Survey map reference NX718808;

“Blackcraig Wind Farm (Scotland) Limited” means the company of that name registered in Scotland with number SC493311;

“Clocaenog Forest Wind Farm” means the electricity generating station known as Clocaenog Forest Wind Farm which is in Clocaenog Forest in Conwy County Borough and in the County

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

(2) Under article 4 of, and Schedule 3 to, the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), functions under section 5(1) of the Electricity Act 1989 are, in so far as they are exercisable in or as regards Scotland, only exercisable after consultation with the Scottish Ministers.

of Denbighshire, Wales, incorporating a substation which is situated at Ordnance Survey map reference SJ014588;

“Innogy Renewables UK Limited” means the company of that name registered in England and Wales with number 02550622;

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

“the total system” means all transmission systems and distribution systems, located in Great Britain, of holders of licenses under section 6(1)(b) and (c) of the Act(3).

### **Exemptions from prohibition of unlicensed generation of electricity for supply**

3. Exemption is granted from section 4(1)(a) of the Act (prohibition of unlicensed generation of electricity for supply) to—

- (a) Blackcraig Wind Farm (Scotland) Limited in respect of Blackcraig Wind Farm; and
- (b) Innogy Renewables UK Limited in respect of Clocaenog Forest Wind Farm.

### **Conditions on exemptions**

4. The exemption granted by article 3(a) of this Order is subject to compliance with the following conditions—

- (a) Blackcraig Wind Farm is connected to the total system;
- (b) Blackcraig Wind Farm does not export more than 100 megawatts of electrical power to the total system, except in circumstances outside the reasonable control of Blackcraig Wind Farm (Scotland) Limited; and
- (c) Blackcraig Wind Farm (Scotland) Limited is not a licensed generator in respect of Blackcraig Wind Farm.

5. The exemption granted by article 3(b) of this Order is subject to compliance with the following conditions—

- (a) Clocaenog Forest Wind Farm is connected to the total system;
- (b) Clocaenog Forest Wind Farm does not export more than 100 megawatts of electrical power to the total system, except in circumstances outside the reasonable control of Innogy Renewables UK Limited; and
- (c) Innogy Renewables UK Limited is not a licensed generator in respect of Clocaenog Forest Wind Farm.

*Kelly Tolhurst*  
Minister for Small Business, Consumer and  
Corporate Responsibility  
Department for Business, Energy and Industrial  
Strategy

13th May 2019

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(3) Section 6 was substituted by section 30 of the Utilities Act 2000 and section 6(1)(b) was further substituted by section 136(1) of the Energy Act 2004 (c. 20).

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## EXPLANATORY NOTE

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

Article 3 of this Order grants exemptions from the requirements of section 4(1)(a) of the Electricity Act 1989 (which prohibits the generation of electricity for supply to any premises without a licence) in relation to two electricity generating stations in Great Britain. The companies granted exemptions are:

Blackcraig Wind Farm (Scotland) Limited in respect of Blackcraig Wind Farm, an electricity generating station whose entrance is situated at Ordnance Survey map reference NX718808, in Dumfries and Galloway, Scotland.

Innogy Renewables UK Limited in respect of Clocaenog Forest Wind Farm, an electricity generating station in Clocaenog Forest in Conwy and Denbighshire, incorporating a substation which is situated at Ordnance Survey map reference SJ014588.

A regulatory impact assessment in respect of exemptions from the requirements of section 4(1)(a) of the Electricity Act 1989 was prepared in 2001 and can be obtained from the Department for Business, Energy and Industrial Strategy, Wholesale Energy Markets Division, 1 Victoria Street, London SW1H 0ET. Copies have been placed in the libraries of both Houses of Parliament.