



2011 CHAPTER 6

PART 2

**SPECIAL ADMINISTRATION REGIME
FOR PROTECTED ENERGY COMPANIES**

Financial support for company in administration

Indemnities

29.—(1) This section applies where an energy administration order has been made in relation to a company.

(2) The Department may agree to indemnify persons in respect of one or both of the following—

- (a) liabilities incurred in connection with the exercise and performance by the energy administrator of the powers and duties of an energy administrator; and
- (b) loss or damage sustained in that connection.

(3) The agreement may be made in whatever manner, and on whatever terms, the Department considers appropriate.

(4) If sums are paid by the Department in consequence of an indemnity agreed to under this section, the company must pay to the Department—

- (a) such amounts in or towards the repayment to the Department of those sums as the Department may direct; and
- (b) interest, at such rates as the Department may direct, on amounts outstanding under this subsection.

Changes to legislation: There are currently no known outstanding effects for the Energy Act (Northern Ireland) 2011, Section 29. (See end of Document for details)

(5) Payments to the Department under subsection (4) must be made at such times and in such manner as the Department may determine.

(6) Subsection (4) does not apply in the case of a sum paid by the Department for indemnifying a person in respect of a liability to the company in relation to which the energy administration order was made.

(7) The consent of the Department of Finance and Personnel is required—

- (a) for the doing of anything by the Department under subsection (2);
- (b) for the giving by the Department of any direction under subsection (4); and
- (c) for the making of a determination under subsection (5).

(8) The power of the Department to agree to indemnify persons—

- (a) is confined to a power to agree to indemnify persons in respect of liabilities, loss and damage incurred or sustained by them as relevant persons; but
- (b) includes power to agree to indemnify persons (whether or not they are identified or identifiable at the time of the agreement) who subsequently become relevant persons.

(9) A person is a relevant person for the purposes of this section if that person is—

- (a) the energy administrator;
- (b) an employee of the energy administrator;
- (c) a member or employee of a firm of which the energy administrator is a member;
- (d) a member or employee of a firm of which the energy administrator is an employee;
- (e) a member of a firm of which the energy administrator was an employee or member at a time when the order was in force;
- (f) a body corporate which is the employer of the energy administrator;
- (g) an officer, employee or member of such a body corporate.

(10) For the purposes of subsection (9)—

- (a) the references to the energy administrator are to be construed, where two or more persons are appointed to act as the energy administrator, as references to any one or more of them; and
- (b) the references to a firm of which a person was a member or employee at a particular time include references to a firm which holds itself out to be the successor of a firm of which that person was a member or employee at that time.

Changes to legislation: There are currently no known outstanding effects for the Energy Act (Northern Ireland) 2011, Section 29. (See end of Document for details)

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Modifications etc. (not altering text)

- C1** Ss. 19-33: power to apply (with modifications) conferred (26.10.2023) by [Energy Act 2023](#) (c. 52), s. 334(2)(1), **Sch. 18 para. 50**

Changes to legislation:

There are currently no known outstanding effects for the Energy Act (Northern Ireland) 2011, Section 29.