

## SCHEDULES

### SCHEDULE 4

Article 12

#### AMENDMENTS

##### *The Electricity (Northern Ireland) Order 1992 (NI 1)*

1. In Article 3 after the definition of “information” insert—  
““the SEM”, “the SEM Committee”, “the Irish Minister” and “CER” have the same meanings as in the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007;”.
2. In Article 9(3) for paragraph (3) substitute—  
“(3) An exemption granted under paragraph (1)—  
(a) shall, if the order under paragraph (1) so provides, have effect for such period as may be specified in or determined under the order;  
(b) may be revoked or amended by a subsequent order under that paragraph.”.
- 3.—(1) Article 11 is amended as follows.  
(2) In paragraph (1)(a) after “Article 12 of the Energy (Northern Ireland) Order 2003” insert “or Article 9 of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007”.  
(3) After paragraph (6A) insert—  
“(6B) Conditions included in a licence may relate to activities whether or not they are carried out in Northern Ireland.”.
4. In Article 11A (2)(a) at the end of each of heads (i), (ii), (iii) and (iv) add “in Northern Ireland and Ireland”.
5. In Article 15(7) at the end add “or Article 9 of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007.”.
- 6.—(1) In Article 50 after paragraph (2) insert—  
“(2A) A direction under paragraph (2) does not apply in relation to—  
(a) the exercise by the SEM Committee of its functions under Article 6(2) or 8 of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007;  
(b) the Authority in giving effect to any decision of the SEM Committee.”  
(2) In Article 50(3A) at the end add “and  
(c) functions under the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007.”.
7. In Article 62(2) after “electricity” insert “or to act as SEM operator”.
8. In Article 66(1) for the words from “any matter relating to electricity” to the end substitute  
“—  
(a) any matter arising under this Part or the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007; or

*Status: This is the original version (as it was originally made).*

- (b) any matter relating to electricity arising under the Energy (Northern Ireland) Order 2003 (other than a matter in respect of which any functions of the Authority under Part VI of that Order are or may be exercisable).”.

*The Energy (Northern Ireland) Order 2003 (NI 6)*

- 9. In Article 12(2)(a) after “demands” insert “in Northern Ireland or Ireland”.
- 10. In Article 13 (exemptions) after paragraph (1) insert—
  - “(1A) Article 12 does not apply in relation to the carrying out of functions of the Department or the Authority to which Article 9 of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 applies.”.
- 11. In Article 42 (5) after “Article 12 or 14” insert “or Article 9 of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007.”.
- 12.—(1) Article 63 is amended as follows.
  - (2) In paragraph (1)(a) after “Electricity Order” insert “, the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007”.
  - (3) In paragraph (3)(a) after “Electricity Order” insert “, the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007”.
  - (4) After paragraph (3) insert—
    - “(3A) In paragraph (3)(c) and (d)—
      - (a) references to a licence holder include references to a holder of a licence under the law of Ireland corresponding to Part II of the Electricity Order; and
      - (b) references to a licence include references to such a licence.”.
  - (5) In paragraph (4) after sub-paragraph (a) insert—
    - “(aa) for the purposes of facilitating the performance by the Irish Minister or CER (within the meaning of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007) of any function under the law of Ireland corresponding to the Electricity Order, this Order or that Order.” .
- 13. In Schedule 3, omit paragraph 20.