STATUTORY RULES OF NORTHERN IRELAND

2011 No. 155

The Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011

PART VII

ENFORCEMENT

Amendment of the enforcement provisions of the Energy Order

76. After Article 41 of the Energy Order there shall be inserted the following new Articles—

"**Meaning of relevant requirement in relation to electricity**

41A.—(1) In the case of electricity, "relevant requirement" in respect of any regulated person means any duty or other requirement imposed on that person by or under a provision—

(a) specified in this Article; or

(b) in the Electricity Regulation and designated under this Article, in respect of that person.

(2) In respect of any licence holders, Article 27(4)(b) is specified for the purposes of paragraph (1).

(3) In respect of holders of an electricity generation licence—

(a) Part VII (Electricity from renewable sources);

(b) designated provisions of the Electricity Regulation;

(c) Articles 10C(8) and (9) of the Electricity Order (Certification procedure);

(d) Articles 10I(11) and (12) of the Electricity Order (Monitoring and review of certification);

(e) Articles 8C(4) and (5) of the Gas Order (Certification procedure); and

(f) Articles 8I(11) and (12) of the Gas Order (Monitoring and review of certification),

are specified for the purposes of paragraph (1).

(4) In respect of holders of an electricity supply licence—

(a) Article 43(3) of the Electricity Order (Overall standards of performance: electricity supply);

(b) Article 44(3) of the Electricity Order (Promotion of efficient use of electricity);

(c) Article 45A of the Electricity Order (Information to be given to customers about overall performance);

(d) Article 45B of the Electricity Order (Procedures for dealing with complaints);

(e) those in Part VII (Electricity from renewable sources);

(f) the Electricity and Gas (Billing) (No. 2) Regulations (Northern Ireland) 2010;

(g) Articles 10C(8) and (9) of the Electricity Order (Certification procedure);

(h) Articles 10I(10), (11) and (12) of the Electricity Order (Monitoring and review of certification) insofar as they apply to that person;

(i) Articles 8C(4) and (5) of the Gas Order (Certification procedure); and

(j) Articles 8I(11) and (12) of the Gas Order (Monitoring and review of certification),

are specified for the purposes of paragraph (1).

(5) In respect of holders of an electricity distribution licence—

(a) Article 12(1) of the Electricity Order (General duties of electricity distributors and transmission licence holders);

(b) Articles 19 to 26 of the Electricity Order (Duty to connect on request);

(c) Article 43A of the Electricity Order (Overall standards of performance: electricity distributors); and

(d) Article 45A of the Electricity Order (Information to be given to customers about overall performance),

are specified for the purposes of paragraph (1).

(6) In respect of holders of an electricity transmission licence—

(a) Article 12(2) of the Electricity Order (General duties of electricity distributors and transmission licence holders);

(b) Article 10B(1) or (2) and Article 10C(3) of the Electricity Order insofar as they apply to that person; and

(c) Articles 10C(7) or (8) and (9) and 10I(10), (11) and (12) of the Electricity Order insofar as they apply to that person,

are specified for the purposes of paragraph (1).

(7) The Department shall for the purposes of paragraph (1) designate those provisions of the Electricity Regulation which impose a duty or requirement on any or on any particular regulated person in respect of such persons and shall publish any such designation in the Belfast Gazette

Meaning of relevant requirement in relation to gas

41B.—(1) In the case of gas, "relevant requirement" in respect of any regulated person means any duty or other requirement imposed on that person by or under a provision

(a) specified in this Article; or

(b) in the Gas Regulation and designated under this Article,

in respect of that person.

(2) In respect of any licence holders, Article 27(4)(b) is specified for the purposes of paragraph (1).

(3) In respect of holders of a gas supply licence—

(a) Section 3(4) of the Energy Act (Northern Ireland) 2011 (Overall standards of performance);

(b) Section 5(3) of the Energy Act (Northern Ireland) 2011 (Standards for promoting efficient use of gas);

(c) Section 7 of the Energy Act (Northern Ireland) 2011 (Information to be given to customers about overall performance);

(d) Section 8 of the Energy Act (Northern Ireland) 2011 (Procedures for dealing with complaints);

(e) the Electricity and Gas (Billing) (No. 2) Regulations (Northern Ireland) 2010;

(f) Articles 10C(8) and (9) of the Electricity Order (Certification procedure);

(g) Articles 10I(11) and (12) of the Electricity Order (Monitoring and review of certification);

(h) articles 8C(4) and (5) of the Gas Order (Certification procedure); and

(i) Articles 8I(11) and (12) of the Gas Order (Monitoring and review of certification).

are specified for the purposes of paragraph (1).

(4) In respect of holders of a gas conveyance licence —

(a) Section 3(4) of the Energy Act (Northern Ireland) 2011 (Overall standards of performance);

(b) Section 7 of the Energy Act (Northern Ireland) 2011 (Information to be given to customers about overall performance),

are specified for the purposes of paragraph (1).

(5) In respect of holders of a gas conveyance licence involved in gas transmission—

(a) Article 8B(1) or (2) of the Gas Order and Article 8B(1) or (2) of the Electricity Order insofar as they apply to that person; and

(b) Article 8C(3), (4) and (5) and 8I(10), (11) and (12) of the Gas Order insofar as they apply to that person,

are specified for the purposes of paragraph (1).

(6) The Department shall for the purposes of paragraph (1) designate those provisions of the Gas Regulation which impose a duty or requirement, on any or on any particular, regulated person in respect of such persons and shall publish any such designation in the Belfast Gazette.”.

Commencement Information

I1 Reg. 76 in operation at 15.4.2011, see **reg. 1**

Changes to legislation:
There are currently no known outstanding effects for the The Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011, Section 76.