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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 247**

**Energy (Amendment) Order (Northern Ireland) 2015**

**Amendment of the Energy (Northern Ireland) Order 2003**

2.—(1) After Article 55E of the Energy (Northern Ireland) Order 2003 insert—

**“55EA Renewables obligation closure order**

(1) The Department may make a renewables obligation closure order.

(2) A renewables obligation closure order is an order which provides that no renewables obligation certificates are to be issued under a renewables obligation order in respect of electricity generated after a specified date.

(3) Provision made under paragraph (2) may specify different dates in relation to different cases or circumstances.

(4) The cases or circumstances mentioned in paragraph (2) may in particular be described by reference to—

- (a) accreditation of a generating station, or
- (b) the addition of generating capacity to a generating station.

(5) A renewables obligation closure order may include provision about—

- (a) the meaning of “accreditation” and “generating capacity” in paragraph (4),
- (b) when generating capacity is to be treated as added to a generating station for the purposes of that paragraph.

(6) Power to make provision in a renewables obligation order (and any provision contained in such an order) is subject to provision contained in a renewables obligation closure order; but this Article is not otherwise to be taken as affecting the power to make provision in a renewables obligation order of the kind mentioned in paragraph (2).

(7) Article 55D applies in relation to a renewables obligation closure order as it applies in relation to a renewables obligation order (and paragraph (3) is not to be taken as limiting the application of that Article).

**55EB Renewables obligation closure orders: procedure**

(1) Before making a renewables obligation closure order, the Department must consult—

- (a) the Authority,
- (b) the Council,
- (c) such generators of electricity from renewable sources as the Department considers appropriate, and
- (d) such other persons, if any, as the Department considers appropriate.

(2) The requirement to consult may be satisfied by consultation before, as well as consultation after, the making of the Energy (Amendment) Order (Northern Ireland) 2015.”.

(3) In Article 55F(1) of the Energy (Northern Ireland) Order 2003 (Interpretation of Articles 52 to 55F)—

(a) for “55E” substitute “55EB”;

(b) after the definition of “renewables obligation order” insert—

““renewables obligation closure order” is to be construed in accordance with Article 55EA;”;

(c) in the definition of “specified”, after “renewables obligation order” insert “or a renewables obligation closure order”.

(4) In Article 66 of the Energy (Northern Ireland) Order 2003 (Regulations, orders and directions), in paragraph (2) after “52(1) insert “, 55EA”.