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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 267**

**The Renewables Obligation (Scotland) Order 2007**

**PART 9**

**Revocation, Transitional and Savings**

**Revocation, transitional and savings**

**39.**—(1) Subject to paragraphs (2) to (15), the 2006 Order is hereby revoked.

(2) The 2006 Order shall continue to apply in respect of the renewables obligation of each designated electricity supplier to produce to the Authority evidence in accordance with the terms of article 3 of the 2006 Order, before the specified day of 1st September 2007; and for the purposes of this article, the first line in the column headed “Obligation period”, and the first percentage specified in the column headed “Percentage of total supplies” in Schedule 1 to the 2006 Order shall continue to apply.

(3) The 2006 Order shall continue to apply in respect of the obligations of each designated electricity supplier in terms of article 4(4) of the 2006 Order to furnish information to the Department of Trade and Industry by no later than 1st June 2007.

(4) The 2006 Order shall continue to apply in respect of the obligations of each designated electricity supplier in terms of article 4(5) of the 2006 Order to inform the Authority before 1st July 2007 of the amount in megawatt hours of its renewables obligation in respect of the obligation period which ended before 1st July 2007 and the amount of all electricity supplied by that designated electricity supplier to customers in Scotland during that obligation period.

(5) The 2006 Order shall continue to apply in respect of the ability of a designated electricity supplier to discharge its renewables obligation in relation to the obligation period ending on 31st March 2007 by making a payment to the Authority before the specified day of 1st September 2007, in accordance with the terms of article 11 of the 2006 Order.

(6) The 2006 Order shall continue to apply in respect of the obligations of the Authority to pay out the buy-out fund, by 1st November 2007, in accordance with the terms of article 22 of the 2006 Order.

(7) The 2006 Order shall continue to apply in respect of the ability of a designated electricity supplier to discharge its renewables obligation in relation to the obligation period ending on 31st March 2007 by producing to the Authority eligible NIROCs before the specified day of 1st September 2007, in accordance with the terms of article 12 of the 2006 Order.

(8) The 2006 Order shall continue to apply in respect of the ability of a designated electricity supplier to discharge its renewables obligation in relation to the obligation period ending on 31st March 2007 by producing to the Authority certificates issued by the Authority certifying the matters in section 32B(2A) of the Act before the specified day of 1st September 2007, in accordance with the terms of article 13 of the 2006 Order.

(9) The 2006 Order shall continue to apply in respect of the ability of a designated electricity supplier to be treated as having discharged its renewables obligation in relation to the obligation

period ending on 31st March 2007 by making a late payment to the Authority before the end of the late payment period in question, in accordance with the terms of article 23 of the 2006 Order.

(10) The 2006 Order shall continue to apply in respect of the obligations of the Authority to notify any designated electricity supplier that has not discharged its renewables obligation in full by the specified day of 1st September 2007 relating to the obligation period ending on 31st March 2007, and to what extent, in accordance with the terms of article 23 of the 2006 Order.

(11) The 2006 Order shall continue to apply in respect of the obligations of the Authority to pay out the late payment fund, by 1st January 2008 in accordance with the terms of article 23 of the 2006 Order.

(12) The 2006 Order shall continue to apply in respect of the obligations of the Authority to notify to the Northern Ireland Authority the information detailed in article 29 of the 2006 Order, in accordance with the terms of that article of the 2006 Order.

(13) The 2006 Order shall continue to apply in respect of all the obligations of the Authority and designated electricity suppliers referred to in article 24 of the 2006 Order in accordance with the terms of that article and insofar as those obligations relate to a relevant shortfall occurring in the obligation period ending on 31st March 2007.

(14) For the purposes of paragraph (13), the first line in the column headed “Obligation period” and the first amount specified in the column headed “Amount” in Schedule 4 to the 2006 Order shall continue to apply.

(15) The 2006 Order shall continue to apply in respect of all the functions of the Authority referred to in article 30 of the 2006 Order insofar as they relate to the obligation period ending on 31st March 2007.