

---

DRAFT STATUTORY INSTRUMENTS

---

**2007 No. (N.I. )**

**NORTHERN IRELAND**

**The Electricity (Single Wholesale Market) (Northern Ireland) Order 2007**

*Made - - - - 2007  
Coming into operation in accordance with Article  
1(2) to (4)*

**THE ELECTRICITY (SINGLE WHOLESale MARKET) (NORTHERN IRELAND) ORDER 2007**

*Introductory*

1. Title and commencement
2. Interpretation

*Licences*

3. Power to modify licence conditions in connection with the SEM
4. Licensing of SEM operator
5. Property arrangements schemes in respect of certain licence holders

*The SEM Committee*

6. The SEM Committee
7. Working arrangements for the SEM
8. Powers of entry

*Objective and duties of Department, the Authority and SEM Committee*

9. Principal objective and duties of Department, the Authority and SEM Committee in relation to SEM
10. Exceptions from the general duties

*Miscellaneous*

11. Effect of this Order on certain agreements
  12. Minor and consequential amendments
- Signature

---

## SCHEDULES

### SCHEDULE 1 — PROPERTY ARRANGEMENTS SCHEMES

#### *Scheme-making power*

1. (1) The Authority may, on application, make a scheme providing...

#### *Applications for schemes*

2. (1) An application for the making of a property arrangements...

#### *The Authority's functions in relation to applications*

3. (1) On an application for the making of a property...
4. (1) Subject to the following provisions of this paragraph, where...
5. (1) A determination under paragraph 4, so far as relating...
6. The Authority may require any of the following persons to...
7. The Authority may engage such consultants as it thinks fit...

#### *Effect of property arrangements scheme*

8. A property arrangements scheme shall, by virtue of this paragraph,...
9. (1) A transaction of any description effected by or under...

#### *Review of determinations*

10. (1) Any person aggrieved by a determination of the Authority...
11. (1) This paragraph applies where— (a) the Competition Appeal Tribunal...
12. (1) This paragraph applies where— (a) the Competition Appeal Tribunal...
13. (1) This paragraph applies where— (a) the Competition Appeal Tribunal...
14. An order under paragraph 10(4)(b) may include provision for the...
15. Section 120(6) to (8) of the Enterprise Act 2002 (c....

#### *Interim arrangements pending review of determination*

16. (1) This paragraph applies where— (a) a person makes an...
17. (1) This paragraph applies where— (a) a person makes an...
18. In exercising its powers under paragraph 16 or 17, the...
19. Paragraphs 16 and 17 are without prejudice to any powers...
20. (1) If an order under paragraph 16 or 17 is...

#### *Supplementary*

21. The Department may by order designate the holder of a...
22. An application under this Schedule shall not be made orally....
23. (1) In this Schedule— “existing transmission licence” means a transmission...

### SCHEDULE 2 — THE SEM COMMITTEE

#### *Membership*

1. (1) The SEM Committee shall consist of—

*Terms of appointment, remuneration, pensions, etc.*

2. (1) Subject to this Schedule, the members shall hold and...
3. (1) An appointment of a person as a member shall...
4. The Authority shall pay to the members such remuneration, and...

*Sub-committees*

5. (1) The SEM Committee may establish sub-committees.

*Proceedings, etc.*

6. (1) Subject to the provisions of this Schedule, the SEM...

*Quorum*

7. The quorum for a meeting of the SEM Committee is...

*Decision making and voting*

8. (1) A matter may be decided by agreement—

*Performance of functions*

9. (1) Anything which is authorised or required to be done...

SCHEDULE 3 — POWERS OF ENTRY

*Power to enter premises of a licence holder without a warrant*

1. (1) Where the SEM Committee has made a determination under...

*Power to enter premises of a licence holder under warrant*

2. (1) Where the SEM Committee has made a determination under...

*Privileged information, etc.*

3. A person is not required under paragraph 1 or 2—...

*Offences*

4. (1) A person is guilty of an offence if he...

SCHEDULE 4 — AMENDMENTS

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

1. In Article 3 after the definition of “information” insert— “the...
2. In Article 9(3) for paragraph (3) substitute—
3. (1) Article 11 is amended as follows.
4. In Article 11A (2)(a) at the end of each of...
5. In Article 15(7) at the end add “or Article 9...
6. (1) In Article 50 after paragraph (2) insert—
7. In Article 62(2) after “electricity” insert “or to act as...
8. In Article 66(1) for the words from “any matter relating...

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 No. 913*

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

9. In Article 12(2)(a) after “demands” insert “in Northern Ireland or...
10. In Article 13 (exemptions) after paragraph (1) insert—
11. In Article 42 (5) after “Article 12 or 14” insert...
12. (1) Article 63 is amended as follows.
13. In Schedule 3, omit paragraph 20.

Explanatory Note