



Northern Ireland (Miscellaneous Provisions) Act 2006

2006 CHAPTER 33

PART 5

MISCELLANEOUS

24 Financial assistance for energy purposes

For Article 61 of the Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6)) substitute—

“61 Financial assistance for energy purposes

- (1) The Department may give financial assistance to any person if, in the opinion of the Department—
 - (a) the form and amount of the assistance is reasonable having regard to all the circumstances; and
 - (b) the giving of the assistance is likely to achieve one or more of the purposes set out in paragraph (2).
- (2) Those purposes are—
 - (a) to secure a diverse and viable long-term energy supply;
 - (b) to promote the development and maintenance of an efficient, economic and co-ordinated gas industry in Northern Ireland;
 - (c) to promote efficiency and economy on the part of persons engaged in the generation, production, transmission, distribution or supply of energy;
 - (d) to promote the efficient use of energy;
 - (e) to promote the development or the bringing into use of—
 - (i) energy from renewable sources, or
 - (ii) technologies for the production of energy from such sources;

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Miscellaneous Provisions) Act 2006, Section 24. (See end of Document for details)

- (f) to promote research and development in relation to other matters connected with energy supply;
 - (g) to promote the generation, production, transmission, distribution or supply of energy from renewable sources;
 - (h) to promote the production, distribution or use of renewable transport fuels;
 - (i) to limit or reduce emissions of greenhouse gases, or other effects on the environment, resulting from the generation, production, transmission, distribution, supply or use of energy;
 - (j) to conduct research, or to raise awareness, about matters referred to in sub-paragraph (i);
 - (k) any other purpose prescribed by regulations made by the Department with the approval of the Department of Finance and Personnel.
- (3) Financial assistance under this Article may be given—
- (a) in respect of particular activities carried on or supported by the recipient; or
 - (b) generally in respect of all or some part of the activities carried on or supported by the recipient.
- (4) Financial assistance under this Article shall be given—
- (a) in such form, and
 - (b) subject to such conditions,
- as the Department considers appropriate.
- (5) Without prejudice to the generality of paragraph (4), financial assistance under this Article may be given in one or more of the following forms—
- (a) by making grants (whether or not repayable) or loans;
 - (b) by giving indemnities;
 - (c) by making investments in bodies corporate;
 - (d) by incurring expenditure for the benefit of a person;
 - (e) by providing services, staff or equipment for the benefit of a person.
- (6) Without prejudice to the generality of paragraph (4), financial assistance under this Article may be given subject to conditions—
- (a) as to repayment;
 - (b) requiring payments to be made to the Department (which need not be limited by reference to the value of the assistance given).
- (7) In this Article—
- “greenhouse gases” has the meaning given by section 82(9) of the Energy Act 2004;
 - “renewable sources” means sources of energy other than fossil fuel, peat or nuclear fuel, and includes waste (and for this purpose, “fossil fuel” and “peat” have the meaning given by Article 52(7));
 - “renewable transport fuel” means—
- (a) liquid or gaseous fuel that is produced wholly or mainly from biomass; or
 - (b) any other description of fuel specified in an order made by the Department;

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and for this purpose “biomass” means the biodegradable portion of a specified product, waste or residue.”

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