

## SCHEDULES

### SCHEDULE 14

#### REGULATORS: USE OF POWERS UNDER THE 1998 ACT

*The Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6))*

26 In article 45 (financial penalties), for paragraph (3) substitute—

“(3) Before imposing a penalty under paragraph (1) or (2) the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.

(3A) The Authority shall not impose a penalty under paragraph (1) or (2) if it considers that it would be more appropriate to proceed under the Competition Act 1998.”