

## SCHEDULES

### SCHEDULE 6

#### COMMUNITY ELECTRICITY RIGHT REGULATIONS

##### PART 1

##### THE RIGHT TO BUY

###### *Excessive or insufficient take-up*

- 12 (1) Right to buy regulations may make provision (including provision relating to the allocation of stakes)—
- (a) about cases where applications made in the application period exceed the available stakes, and
  - (b) about cases where applications made in the application period do not exceed the available stakes.
- (2) Provision about cases where applications made in the application period do not exceed the available stakes may—
- (a) provide for the right to buy to be modified or to cease to apply;
  - (b) identify a subsequent period of time (a “secondary period”) during which the right to buy is to be exercisable.
- (3) If right to buy regulations identify a secondary period, the regulations may make, in relation to the secondary period, any provision of the kinds mentioned in subparagraphs (1) and (2)(a) that may be made in relation to the application period.
- (4) The power under section 55 to make different provision in community electricity right regulations for different purposes includes power to make provision relating to secondary periods that is different from provision relating to application periods.
- (5) The provision that may differ includes provision about—
- (a) the community in which a land-based facility is located or adjacent to which an offshore facility is located;
  - (b) the individuals resident in a community or the groups connected with a community who may exercise the right to buy.
- (6) In this paragraph—
- “application period” has the meaning given in paragraph 11;
  - “applications” means applications for stakes in a qualifying facility;
  - “available stakes” means the stakes in a qualifying facility that are available to be bought through the right to buy.