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STATUTORY INSTRUMENTS

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**2011 No. 1150**

**ELECTRICITY**

**The Electricity (Individual Generation Exemptions) Order 2011**

<i>Made</i>	- - - -	<i>26th April 2011</i>
<i>Laid before Parliament</i>		<i>27th April 2011</i>
<i>Coming into force</i>	- -	<i>18th May 2011</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 5 of the Electricity Act 1989<sup>(1)</sup>.

The Secretary of State has given notice of the proposal to make this Order in accordance with section 5(2) and (3) of that Act. No representations in respect of the proposal have been made.

**Citation and commencement**

1. This Order may be cited as the Electricity (Individual Generation Exemptions) Order 2011 and comes into force on 18th May 2011.

**Interpretation**

2. In this Order—

“the Act” means the Electricity Act 1989;

“total system” means all transmission systems and distribution systems, located in Great Britain, of holders of licences under section 6(1)(b) and (c) of the Act<sup>(2)</sup> (transmission and distribution licences).

**Exemptions**

3.—(1) Subject to paragraph (2), a person mentioned in column 1 of the Table in the Schedule (“the relevant person”) is exempt from section 4(1)(a) of the Act (prohibition of unlicensed generation of electricity for supply) in respect of the generating station described in the corresponding entry in column 2 of that Table (“the relevant generating station”).

(2) The exemption granted in paragraph (1) is subject to compliance with the following conditions—

(a) that the relevant generating station is connected to the total system;

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(1) 1989 c.29. Section 5 was substituted by section 29 of the Utilities Act 2000 (c.27).

(2) Section 6 was substituted by section 30 of the Utilities Act 2000.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) that, except in circumstances outside the reasonable control of the relevant person, the relevant generating station does not export more than 100 megawatts of electrical power to the total system; and
- (c) that the relevant person does not hold any licence under section 6(1)(a) of the Act.

26th April 2011

*Charles Hendry*  
Minister of State  
Department of Energy and Climate Change

## SCHEDULE

Article 3

**Table**

<i>Column 1</i>	<i>Column 2</i>
Devon Wind Power Limited (company registered number 03536976)	Fullabrook Windfarm, a generating station of that name located at Ordnance Survey map reference SS526363, on Fullabrook Down in Devon.
Riverside Resource Recovery Limited (company registered number 3723386).	Riverside Resource Recovery Energy From Waste Facility, a generating station of that name located at Ordnance Survey map reference TQ497806, in Belvedere in the London Borough of Bexley.
Teeside Windfarm Limited (company registered number 6708759).	Teeside Offshore Windfarm, an offshore generating station of that name located at Ordnance Survey map reference NZ584282, approximately 1.5 kilometres offshore from Coatham Sands in Redcar.

**EXPLANATORY NOTE***(This note is not part of the Order)*

This Order grants exemption from the requirements of section 4(1)(a) of the Electricity Act 1989 (which prohibits the generation of electricity for supply without a licence) to three companies in relation to three generating stations.

Those companies and generating stations are Devon Wind Power Limited in relation to Fullabrook Windfarm in Devon, Riverside Resource Recovery Limited in relation to Riverside Resource Recovery Energy From Waste Facility in Bexley and Teeside Offshore Windfarm Limited in relation to Teeside Offshore Windfarm (which is located approximately 1.5 kilometres offshore from Coatham Sands in Redcar).

A regulatory impact assessment in respect of exemptions from the requirements of section 4(1)(a) of the Electricity Act 1989 was prepared in 2001 and can be obtained from the Department of Energy and Climate Change, Energy Markets Unit, 4th Floor, 3 Whitehall Place, London, SW1A 2AW. Copies have been placed in the libraries of both Houses of Parliament.