STATUTORY INSTRUMENTS

2007 No. 629

ELECTRICITY

The Electricity (Class Exemptions from the Requirement for a Licence) (Amendment) Order 2007

Made - - - -	27th February 2007
Laid before Parliament	2nd March 2007
Coming into force - -	6th April 2007

The Secretary of State makes the following Order in exercise of the powers conferred by section 5 of the Electricity Act 1989(**a**);

In accordance with section 5(2) of that Act he has given notice of and considered representations on the proposal to make the Order;

Accordingly, the Secretary of State makes the following Order, after consultation with the Scottish Ministers.

Citation and Commencement

1. This Order shall be cited as the Electricity (Class Exemptions from the Requirement for a Licence) (Amendment) Order 2007 and shall come into force on 6th April 2007.

Interpretation

2. In this Order "the 2001 Order" means the Electricity (Class Exemptions from the Requirement for a Licence) Order 2001(**b**).

Amendments to the 2001 Order

3. In article 4(4)(b) of the 2001 Order, after "paragraph (3) above" insert "(other than persons who fall within Class D of Schedule 3)".

4. After article 4(4)(b) of the 2001 Order insert the following sub-paragraph—

"(c) Persons referred to in paragraph (3) above who fall within Class D of Schedule 3 shall not distribute electricity for the purpose of giving a supply to domestic premises.".

(**a**) 1989 c. 29. Section 5 was substituted by section 29 of the Utilities Act 2000 c. 27.
(**b**) S.I. 2001/3270, as amended by S.I. 2005/488.

5. In Schedule 3 to the 2001 Order, after the paragraph entitled "Class C: Distribution to non-domestic consumers" insert—

"**Class D: Offshore distributors**

Persons (other than licensed distributors) who distribute electricity generated by an offshore generating station by means of a distribution system which is not used to convey electricity generated otherwise than by offshore generating stations.

D.1

For the purposes of Class D—

"offshore generating station" means a generating station that is situated within an area of offshore waters; and

"offshore waters" means—

(a) waters in or adjacent to Great Britain which are between the mean low water mark and the seaward limits of the territorial sea;

(b) waters within an area designated under section 1(7) of the Continental Shelf Act 1964(a); and

(c) waters within an area designated under section 84(4) of the Energy Act 2004(b).".

Truscott
Parliamentary Under Secretary of State for Energy
Department of Trade and Industry

27th February 2007

(**a**) 1964 c.29.
(**b**) 2004 c.20.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 3 to the Electricity (Class Exemptions from the Requirement for a Licence) Order 2001 (S.I. 2001/3270) to add a new class exemption from the requirement of section 4(1)(bb) of the Electricity Act 1989 (which prohibits the distribution of electricity without a licence). The new class exemption applies to those who are engaged in the activity of offshore distribution, that is those who distribute electricity generated by a generating station in offshore waters usually for the purposes of conveying it onshore.

Distributors who fall within the Class D exemption will be subject to the condition in article 4(4)(a) of the 2001 Order. This Order adds a further condition such that the exemption will not apply to offshore distributors who convey electricity directly to domestic premises.

A regulatory impact assessment is available and can be obtained from Katherine Watson, Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET. Copies have been placed in the libraries of both Houses of Parliament.

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