STATUTORY INSTRUMENTS

1975 No. 62

CONTROL OF FUEL AND ELECTRICITY

The Fuel and Electricity (Heating) (Control) (Northern Ireland) Order 1975

Made - - - -	22*nd January* 1975
Laid before Parliament -	30*th January* 1975
Coming into Operation -	21*st February* 1975

The Secretary of State, in exercise of the powers conferred on him by section 2(1) of the Fuel and Electricity (Control) Act 1973**(a)** (as continued in force by the Fuel and Electricity (Control) Act 1973 (Continuation) Order 1974**(b)**) and section 7 of the Emergency Laws (Re-enactments and Repeals) Act 1964 **(c)**, as having effect by virtue of section 5(1) of the said Act of 1973, hereby makes the following Order:—

1.—(1) This Order may be cited as the Fuel and Electricity (Heating) (Control) (Northern Ireland) Order 1975 and shall come into operation on 21st February 1975.

(2) This Order shall extend to Northern Ireland only.

2.—(1) In this Order—

"electricity" means electricity whether or not supplied by the Northern Ireland Electricity Service established by the Electricity Supply (Northern Ireland) Order 1972**(d)**; and

"fuel" means any substance, whether solid, liquid or gaseous, used as a fuel.

(2) Any reference in this Order to any enactment shall be construed as a reference thereto as amended or extended by any other enactment and includes a reference to any instrument made under any enactment.

3.—(1) Subject to paragraph (2) of this Article, no person shall use, cause or permit the use of electricity or fuel for the purpose of heating premises so as to cause the temperature of those premises to exceed 68 degrees Fahrenheit (which is equivalent to 20 degrees Centigrade):

Provided that if any enactment requires the heating of any premises or any part thereof to be maintained in certain circumstances at a specific temperature or at not less than a specific temperature, nothing in this Article shall require the heating of such premises or part thereof (as the case may be) in those circumstances to fall below the minimum temperature so specified even if in consequence thereof the temperature of any other part of such premises is thereby caused to exceed that specified in the foregoing provisions of this paragraph.

(2) Nothing in paragraph (1) of this Article shall apply to the use of electricity or fuel for the purpose of heating that part of any premises which is

(a) 1973 c. 67. (b) S.I. 1974/1893 (1974 III, p. 6503). (c) 1964 c. 60.
(d) S.I. 1972/1072 (N.I. 9).

used for living accommodation, unless the heating of that part cannot be controlled separately from the heating of the parts of those premises which are not so used, or which is used as a sauna bath, turkish bath or swimming bath; or heating any part of any premises to the extent that such heating is necessary—

(*a*) for the maintenance of the health or well being of any person on those premises who is ill, disabled, infirm, pregnant, under the age of 5 years or over the age of 60 years;

(*b*) in the course of any industrial process, in the preparation of food, for purposes of research or for agricultural purposes within the meaning of the Agriculture Act (Northern Ireland) 1949**(a)**;

(*c*) to prevent damage or deterioration to food, goods, material or growing crops or to prevent damage to or impairment of the functioning of any apparatus or equipment on the premises which is sensitive to changes of temperature or humidity; or

(*d*) for preserving the health of any animal or bird on the premises;

or heating any part of any premises in respect of which a licence has been granted by the Secretary of State under this Order.

4. Any licence granted under this Order may be subject to conditions and may be revoked without prior notice.

5. It shall be a defence for a person who contravenes or fails to comply with a provision of this Order to prove that he used all due diligence to secure compliance with that provision.

Merlyn Rees,
One of Her Majesty's Principal Secretaries of State.

Northern Ireland Office.
22nd January 1975.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which extends only to Northern Ireland, prohibits the use of fuel or electricity to heat premises above a temperature of 68 degrees Fahrenheit (20 degrees Centigrade). This prohibition does not apply to premises used as living accommodation, unless their heating cannot be separately controlled or to sauna, turkish or swimming baths, or to premises in respect of which a licence has been granted by the Secretary of State. The temperature of 68 degrees may also be exceeded to the extent necessary for certain specified purposes set out in Article 3(2) of the Order, including the maintenance of the health of certain persons (for example, persons who are ill or under 5 or over 60 years old) and of animals and birds, industrial and agricultural purposes, the preparation of food and the prevention of damage to food, goods, material and growing crops.

(a) 1949 c. 2 (N.I.).

SI 1975/62 F
ISBN 0-11-050062-8

