STATUTORY INSTRUMENTS

2016 No. 605

ELECTRICITY

The Onshore Wind Generating Stations (Exemption) (England and Wales) (Revocation) Order 2016

Made - - - -	*24th May 2016*
Laid before Parliament	*26th May 2016*
Coming into force - -	*12th July 2016*

The Secretary of State for Energy and Climate Change, in exercise of the powers conferred by section 36(4) of the Electricity Act 1989(**a**), makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Onshore Wind Generating Stations (Exemption) (England and Wales) (Revocation) Order 2016 and comes into force on 12th July 2016.

(2) This Order extends to England and Wales only.

Revocation of the Onshore Wind Generating Stations (Exemption) (England and Wales) Order 2016 and the Onshore Wind Generating Stations (Exemption) (England and Wales) (Amendment) Order 2016

2. The Onshore Wind Generating Stations (Exemption) (England and Wales) Order 2016(**b**) is revoked.

3. The Onshore Wind Generating Stations (Exemption) (England and Wales) (Amendment) Order 2016(**c**) is revoked.

Andrea Leadsom
Minister of State
24th May 2016 Department of Energy and Climate Change

EXPLANATORY NOTE

(This note is not part of the Order)

Section 36 of the Electricity Act 1989 (c. 29) (the "Act") provides that generating stations may not be constructed, extended or operated without consent under section 36(1). Section 36(4) enables

(**a**) 1989 c. 29. Relevant amendments to section 36 were made by: the Planning Act 2008 (c. 29) (section 36 and Schedule 2, paragraphs 31, 32(1) to (3)); the Marine and Coastal Access Act 2009 (c. 23) (section 12(7)(a), (8)); and the Energy Act 2004 (c. 20) (sections 93(1) and (3)). Functions under section 36, in so far as exercisable in or as regards Scotland, were transferred to the Scottish Ministers by S.I. 2006/1040 (articles 2, 3 and 6).
(**b**) S.I. 2016/21, as amended by S.I. 2016/450.
(**c**) S.I. 2016/450.

the Secretary of State to direct by order that this prohibition is not to apply to generating stations of a particular class or description.

The Onshore Wind Generating Stations (Exemption) (England and Wales) Order 2016 (S.I. 2016/21) ("the Exemption Order"), as amended by the Onshore Wind Generating Stations (Exemption) (England and Wales) (Amendment) Order 2016 (S.I. 2016/450), removed from the requirement for consent under section 36 of the Act wind powered generating stations which are onshore in England or Wales. Section 78 of the Energy Act 2016 (c. 20) makes similar provision to the Exemption Order, as amended, and replaces the need for it. This Order, consequently, revokes the earlier Orders.

An impact assessment has not been produced for this Order as no impact on the private or voluntary sectors is foreseen.

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ISBN 978-0-11-114713-9

£4.25

UK2016052416 06/2016 19585

http://www.legislation.gov.uk/id/uksi/2016/605