

2007 No. 444 (C. 29)

**The Electricity (Single Wholesale Market) (2007 Order)
(Commencement No. 3) Order (Northern Ireland) 2007**

Made - - - - - 23rd October 2007

The Department of Enterprise, Trade and Investment, in exercise of the powers conferred by Article 1(3) of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007(a) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement, interpretation and application

1. This Order may be cited as the Electricity (Single Wholesale Market) (2007 Order) (Commencement No. 3) Order (Northern Ireland) 2007.

Appointed Day

2. 1st November 2007 is the day appointed for the coming into operation of the provisions of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 listed in column 1 of the Schedule for the purposes set out in column 3 thereof.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 23rd October 2007.



Jenny Pyper
A senior officer of the
Department of Enterprise, Trade and Investment

SCHEDULE 1

Article 2

PROVISIONS OF THE ELECTRICITY (SINGLE WHOLESALE MARKET) (NORTHERN IRELAND) ORDER 2007 COMING INTO OPERATION ON 1st NOVEMBER 2007

<i>Provision of the Order (1)</i>	<i>Subject Matter (2)</i>	<i>Purpose (3)</i>
Article 6 (except insofar as it relates to Schedule 1)	The SEM Committee	For all purposes.
Article 7	Working Arrangements for the SEM	For all purposes.
Article 8	Powers of entry	For all purposes.
Article 9	Principal objective and duties of Department, the Authority and SEM Committee in relation to SEM	For all remaining purposes.
Article 10(2) and (3)	Exceptions from the general duties	For all purposes.
Schedule 2	The SEM Committee	For all purposes.
Schedule 3	Powers of entry	For all purposes.
In Schedule 4 –		
paragraphs 1 and 6(1)	The Electricity (Northern Ireland) Order 1992 ^(a)	For all purposes.
Paragraph 11	The Energy (Northern Ireland) Order 2003 ^(b)	For all purposes.
and Article 12 insofar as it relates thereto		

(a) S.I. 1992/231 (N.I. 1)

(b) S.I. 2003/419 (N.I. 6)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the coming into operation on 1st November 2007 of the following provisions of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007-

- (a) Article 6 which gives effect to Schedule 2 and provides for the establishment and operation of a committee (“the SEM Committee”) of the Northern Ireland Authority for Utility Regulation (“the Authority”) to take decisions on the exercise by the Authority of its relevant functions in relation to the Single Electricity Market (“SEM”) as defined at Article 6(3).
- (b) Article 7 which requires the Authority to publish a statement on how it will carry out its SEM Committee functions and how it will work with the Commission for Energy Regulation in the exercise of their respective statutory functions in relation to the SEM.
- (c) Article 8 which provides for Schedule 3 to have effect in relation to the entry by officers of the Authority to premises of a licence holder where the SEM Committee determines that there are reasonable grounds for suspecting that the licence holder may be contravening or may have contravened any condition of his licence which would materially affect, or be likely materially to affect, the SEM. Schedule 3 also sets out various offences for failure to co-operate with investigations of the Authority in this regard.
- (d) Article 9 which sets out the duties that will apply to the Department, the Authority and the SEM Committee in carrying out their respective functions in relation to the SEM.
- (e) Article 10(2) and (3) which disapply Article 9 in relation to decisions by the SEM Committee on the exercise by the Authority of certain functions under the Electricity (Northern Ireland) Order (1992) (“the 1992 Order”) and the Energy (Northern Ireland) Order 2003 (“the 2003 Order”) or to anything done by the Authority in giving effect to such decisions.
- (f) Article 12 and certain provisions of Schedule 4 which provide for a number of consequential amendments to the 1992 Order and the 2003 Order.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007 came into operation one week after the Order was made (21st March 2007) or have been brought into operation by the Electricity (Single Wholesale Market) (2007 Order) (Commencement No. 1) Order (Northern Ireland) 2007 (SR 2007 No. 284 (c.17)) or the Electricity (Single Wholesale Market) (2007 Order) (Commencement No. 2) Order (Northern Ireland) 2007 (SR 2007 No. 303 (C.20)).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 1	28.03.07	
Article 2	28.03.07	
Article 4 (partially)	05.05.07	2007 No. 284 (C.17)
Article 11	05.05.07	2007 No. 284 (C.17)
Schedule 4 (partially)	05.05.07	2007 No. 284 (C.17)
Article 3	20.06.07	2007 No. 303 (C.20)
Article 4 (partially)	20.06.07	2007 No. 303 (C.20)
Article 9 (partially)	20.06.07	2007 No. 303 (C.20)
Article 10(1)	20.06.07	2007 No. 303 (C.20)
Article 10(4)	20.06.07	2007 No. 303 (C.20)
Schedule 4 (partially)	20.06.07	2007 No. 303 (C.20)

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