

**2008 No. 1888**

**ELECTRICITY**

**The Origin of Renewables Electricity (Power of Gas and Electricity Markets Authority to act for Northern Ireland Authority for Utility Regulation) Regulations 2008**

<i>Made</i> - - - -	<i>16th July 2008</i>
<i>Laid before Parliament</i>	<i>17th July 2008</i>
<i>Coming into force</i> - -	<i>1st September 2008</i>

The Secretary of State, who is a Minister designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to the regulation of the electricity sector, makes the following Regulations in exercise of the powers conferred by that provision.

**Citation and commencement**

1. These Regulations may be cited as the Origin of Renewables Electricity (Power of Gas and Electricity Markets Authority to act for Northern Ireland Authority for Utility Regulation) Regulations 2008 and shall come into force on 1st September 2008.

**Amendment to the Energy Act 2004**

2. After section 121 of the Energy Act 2004<sup>(c)</sup> insert—

**“GEMA’s power to act on behalf of Northern Ireland regulator in issuing guarantees of origin of renewables electricity**

**121A.**—(1) GEMA and the Northern Ireland Authority for Utility Regulation (“the Northern Ireland Authority”) shall be entitled—

- (a) to enter into arrangements for GEMA to act on behalf of the Northern Ireland Authority for, or in connection with, the carrying out of the 2003 guarantees of origin functions; and
- (b) to give effect to those arrangements.

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(a) S.I. 1998/745.  
(b) 1972 c.68.  
(c) 2004 c.20.

(2) In this section “the 2003 guarantees of origin functions” means the functions conferred on the Northern Ireland Authority under or for the purposes of the Electricity (Guarantees of Origin of Electricity Produced from Renewable Energy Sources) Regulations (Northern Ireland) 2003(a).”.

16th July 2008

*Malcolm Wicks*  
Minister of State for Energy  
Department for Business, Enterprise and Regulatory Reform

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations insert a new section 121A into the Energy Act 2004. The new section empowers the Gas and Electricity Markets Authority to enter into arrangements to act on behalf of the Northern Ireland Authority for Utility Regulation (“the Northern Ireland Authority”) as respects the carrying out of the Northern Ireland Authority’s functions under the Electricity (Guarantees of Origin of Electricity Produced from Renewable Energy Sources) Regulations (Northern Ireland) 2003.

The 2003 Regulations implemented in Northern Ireland Article 5 of Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market (OJ L 283, 27.10.2001, p. 33). Article 5(1) of the directive provides that Member States are to ensure that the origin of electricity produced from renewable energy sources can be guaranteed and they are to issue guarantees of origin when requested to do so. Article 5(2) of the directive goes on to provide that Member States may designate one or more competent bodies to supervise the issue of guarantees of origin.

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(a) S.R. 2003/470.

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