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STATUTORY INSTRUMENTS

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**2009 No. 559 (C. 38)**

**ENERGY**

**The Energy Act 2008 (Commencement No. 2) Order 2009**

*Made* - - - - *6th March 2009*

The Secretary of State makes the following Order in exercise of the powers conferred by section 110(2) of the Energy Act 2008<sup>(1)</sup>.

**Citation**

1. This Order may be cited as the Energy Act 2008 (Commencement No. 2) Order 2009.

**Provision coming into force**

2. Section 38 (section 37: supplemental provision) of the Energy Act 2008 comes into force for all remaining purposes on 7th March 2009.

6th March 2009

*Mike O'Brien*  
Minister of State,  
Department of Energy and Climate Change

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This Order brings into force on 7th March 2009 section 38 of the Energy Act 2008 so far as it is not already in force. Section 38 makes supplemental provision in relation to section 37, which substitutes for sections 32 to 32C of the Electricity Act 1989 (c.29) new sections 32 to 32M.

## NOTE AS TO EARLIER COMMENCEMENT ORDER

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

The following provisions of the Energy Act 2008 have been, or are being, brought into force by the commencement order made before the date of this Order—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	6th April 2009	2009/45 (C. 4)
Sections 17 to 35	6th April 2009	2009/45 (C. 4)
Section 36 (partially)	6th April 2009	2009/45 (C. 4)
Section 37 (remainder)	1st April 2009	2009/45 (C. 4)
Section 38 (partially)	26th January 2009	2009/45 (C. 4)
Section 39	26th January 2009	2009/45 (C. 4)
Section 40	26th January 2009	2009/45 (C. 4)
Sections 41 to 43	26th January 2009	2009/45 (C. 4)
Sections 45 to 68	6th April 2009	2009/45 (C. 4)
Sections 69 to 71	6th April 2009	2009/45 (C. 4)
Sections 72 to 74	26th January 2009	2009/45 (C. 4)
Section 75	26th January 2009	2009/45 (C. 4)
Section 76	26th January 2009	2009/45 (C. 4)
Section 77 and Schedule 3	26th January 2009	2009/45 (C. 4)
Sections 78 to 82	6th April 2009	2009/45 (C. 4)
Section 83	26th January 2009	2009/45 (C. 4)
Section 87	26th January 2009	2009/45 (C. 4)
Sections 92 to 93	1st April 2009	2009/45 (C. 4)
Section 94	26th January 2009	2009/45 (C. 4)
Sections 95 to 96	1st April 2009	2009/45 (C. 4)
Section 97	26th January 2009	2009/45 (C. 4)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 98	26th January 2009	2009/45 (C. 4)
Section 100	26th January 2009	2009/45 (C. 4)
Section 101	26th January 2009	2009/45 (C. 4)
Section 103	26th January 2009	2009/45 (C. 4)
Section 104 (remainder)	26th January 2009	2009/45 (C. 4)
Section 105 (remainder)	26th January 2009	2009/45 (C. 4)
Section 107 (remainder)	26th January 2009	2009/45 (C. 4)
	1st April 2009	
	6th April 2009	
Section 108 (partially)	26th January 2009	2009/45 (C. 4)
	1st April 2009	
	6th April 2009	
Section 109	26th January 2009	2009/45 (C. 4)
Schedule 1, paragraphs 1 to 3, 6, 7 (except for paragraph 7(d), and for paragraph 7(h) so far as it relates to paragraph (a) of the definition of “gas”), 8, 12 and 13	6th April 2009	2009/45 (C. 4)
Schedule 5, paragraphs 2, 4, 6, 9 to 14, 15(a) and 15(b), 16 and 21	26th January 2009	2009/45 (C. 4)
Schedule 5, paragraphs 3, 15(c), 19 and 20	1st April 2009	2009/45 (C. 4)
Schedule 5, paragraphs 1, 7, 8, 17 and 18 (remainder)	6th April 2009	2009/45 (C. 4)
Schedule 6 (partially)	26th January 2009	2009/45 (C. 4)
	1st April 2009	
	6th April 2009	