

2024 No.

ELECTRICITY, SCOTLAND

The Electricity (Individual Exemption from the Requirement for a Transmission Licence) (Seagreen) (Scotland) Order 2024

Made - - - -

Laid before Parliament

Coming into force - -

The Secretary of State makes this Order in exercise of the powers conferred by section 5(1) of the Electricity Act 1989(a).

The Secretary of State has given notice of the proposal to make this Order in accordance with section 5(2) and (3) of that Act and has consulted with the Scottish Ministers(b), and has considered any representations made.

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Electricity (Individual Exemption from the Requirement for a Transmission Licence) (Seagreen) (Scotland) Order 2024 and comes into force on [date].

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

(3) This Order applies in relation to Scotland only.

Exemption from section 4(1)(b) of the Electricity Act 1989

2.—(1) The Secretary of State grants exemption from section 4(1)(b) of the Act(c) (prohibition on unlicensed transmission of electricity for supply) to Seagreen Wind Energy Limited in respect of transmission(d) taking place over the transmission system(e) connected to the Seagreen Offshore Wind Farm.

(2) The exemption in paragraph (1) of this article applies for the period beginning with [date] 2024 and ending with the earlier of—

(a) 1989 c. 29; section 5 was substituted by section 29 of the Utilities Act 2000 (c. 27), and relevant amendments were made by S.I. 2012/2400, 2014/631 and 2022/34.
(b) Under article 4 of, and Schedule 3 to, the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), functions under section 5(1) of the Electricity Act 1989 are, in so far as they are exercisable in or as regards Scotland, only exercisable after consultation with the Scottish Ministers.
(c) Section 4(1)(b) of the Electricity Act 1989 was substituted by section 135(1) and (2) of the Energy Act 2004 (c. 20).
(d) For the meaning of “transmission”, see section 4(4) of the Electricity Act 1989, which was inserted by section 135(1) and (4) of the Energy Act 2004.
(e) For the meaning of “transmission system”, see section 4(4) of the Electricity Act 1989, which was inserted by section 135(1) and (4) of the Energy Act 2004.

(a) the day after the day on which the transmission system connected to Seagreen Offshore Wind Farm is transferred to a successful bidder^(a);

(b) [date].

(3) In this article—

“the Act” means the Electricity Act 1989;

“Seagreen Offshore Wind Farm” means the generating station located approximately 27 kilometres off the coast of Angus, in the Northeast of Scotland, with its central point being approximately Latitude 56°35'17"N and Longitude 1°44'28"W;

“Seagreen Wind Energy Limited” means Seagreen Wind Energy Limited, a company registered in England and Wales with company number 06873902.

	<i>Name</i>
	Secretary of State
Date	Department for Energy Security and Net Zero

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants exemption from the requirement to hold an electricity transmission licence.

Section 4(1)(b) of the Electricity Act 1989 (c. 29) prohibits the transmission of electricity for supply without a licence. The Secretary of State, exercising the powers under section 5(1) of that Act, grants a time-limited exemption from the requirement to hold a transmission licence to Seagreen Wind Energy Limited in respect of the Seagreen Offshore Wind Farm.

A full impact assessment has not been produced for this instrument as it is a temporary measure. No, or no significant, impact on the private, voluntary or public sector is foreseen.

(a) For the meaning of “successful bidder”, see section 6CD(6) of the Electricity Act 1989, which was inserted by section 203(1) of, and paragraphs 1 and 3 of Part 1 of Schedule 15 to, the Energy Act 2023 (c. 52).