

No.

ELECTRICITY, SCOTLAND

The Electricity (Individual Exemption from the Requirement for a Supply Licence) (Green Volt) (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) and (6)(b) of the Electricity Act 1989(a).

[In accordance with section 5(2) and (3) of that Act, the Secretary of State has given notice of the proposal to make this Order, and has considered any representations made.]

The Secretary of State has consulted the Scottish Ministers(b).

Citation, commencement and extent

- 1.—(1) This Order may be cited as the Electricity (Individual Exemption from the Requirement for a Supply Licence) (Green Volt) (Scotland) Order 2024 and comes into force on [insert date].
- (2) This Order extends to England and Wales and Scotland.
- (3) This Order applies in relation to Scotland only.

Interpretation

2.—(1) In this Order—

“the Act” means the Electricity Act 1989;

“Green Volt offshore generating station” means the generating station, or that part of the generating station—

- (a) which is located in offshore waters(c) approximately 80 kilometres from the coast of Aberdeenshire, Scotland,

(a) 1989 (c. 29). Section 5 was substituted by section 29 of the Utilities Act 2000 (c. 27), and amended by section 145 of the Energy Act 2004 (c. 20). Section 5(1) was amended by article 5 of the Electricity and Gas (Smart Meters Licensable Activity) Order 2012 (S.I. 2012/2400).

(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 Act are, in so far as they are exercisable in or as regards Scotland, only exercisable after consultation with the Scottish Ministers.

(c) The definition of “offshore waters” was inserted into section 64(1) of the Act by section 203 of, and paragraph 9 of Schedule 15 to, the Energy Act 2023 (c. 52).

- (b) which connects with a substation whose grid coordinates are Latitude (DMS) 57° 50' 34.012" N and Longitude (DMS) 000° 39' 52.729" W, and
- (c) at which electricity is generated for the purpose of giving a supply to at least one offshore installation;

“Green Volt Offshore Wind Farm Limited” means the company of that name registered in Scotland with company number SC698787;

“offshore installation” means an installation in offshore waters which is used for the purposes of, or in connection with, an activity in respect of which a licence has been granted or is required to be granted (as the case may be) under section 2 of the Petroleum (Production) Act 1934(a) or section 3 of the Petroleum Act 1998(b) (as that section has effect on the date this Order comes into force).

Exemption from prohibition of unlicensed supply of electricity

3.—(1) Exemption is granted from section 4(1)(c) of the Act to Green Volt Offshore Windfarm Limited, in respect of electricity which is generated at Green Volt offshore generating station and supplied(e) to offshore installations.

(2) Exemption is granted subject to the conditions set out in article 4.

(3) Exemption is granted for a period of 35 years starting with the date on which Green Volt offshore generating station first generates electricity(d).

Conditions of exemption

4.—(1) Except in circumstances outside its reasonable control, Green Volt Offshore Windfarm Limited must not at any time supply more than 195.5 megawatts of electricity to offshore installations.

(2) As soon as reasonably practicable after each reporting period, Green Volt Offshore Windfarm Limited must provide to the Secretary of State a report which includes the information mentioned in paragraph (3) and, where applicable, paragraph (4).

(3) A report under paragraph (2) must include the following information in respect of the reporting period which precedes the date on which the report is provided—

(a) the name and location of any offshore installation to which Green Volt Offshore Windfarm Limited has supplied electricity under the exemption granted by article 3(1); and

(b) information about each occasion (if any) on which Green Volt Offshore Windfarm Limited has supplied more than 195.5 megawatts of electricity to offshore installations, including the circumstances of such supply.

(4) The first report provided under paragraph (2) must also state the date on which Green Volt offshore generating station first generated electricity.

(5) In this regulation, “reporting period” means the period ending on the date which is five years after this Order comes into force, and each successive period of five years during the period of exemption granted under this Order.

(a) 1934 (c. 36). Section 2 of the Petroleum (Production) Act 1934 (c. 36) (“the 1934 Act”) was repealed by section 51 of, and Part 1 of Schedule 15 to, the Petroleum Act 1998 (c. 17) (“the 1998 Act”), but section 49 of, and paragraphs 4 and 5 of Schedule 3 to, the 1998 Act make provision to maintain licences granted under section 2 of the 1934 Act, which existed immediately before the 1998 Act came into force.

(b) 1998 (c. 17).

(c) The definition of “supply” in section 4(4) of the Act was substituted by section 179(1) of the Energy Act 2004 (c. 20).

(d) The definition of “generate” in section 4(4) of the Act was substituted by section 89(1) of the Energy Act 2004 (c. 20).

[insert date]

[Insert Name]
[Insert Title]
Department for Energy Security and Net Zero

EXPLANATORY NOTE

(This note is not part of the Order)

Article 3 of this Order grants an exemption from the requirements of section 4(1)(c) of the Electricity Act 1989 (which prohibits the unlicensed supply of electricity to any premises) to Green Volt Offshore Wind Farm Limited in relation to supply of electricity from Green Volt offshore generating station to offshore oil and gas facilities. Article 4 contains conditions to which the exemption is subject.

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