SCOTTISH STATUTORY INSTRUMENTS

2002 No. 92

ELECTRICITY

The Electricity from Non-Fossil Fuel Sources (Locational Flexibility) (Scotland) Order 2002

Made - - - -	*6th March 2002*
Laid before the Scottish Parliament - - - -	*7th March 2002*
Coming into force - -	*31st March 2002*

The Scottish Ministers, in exercise of the powers conferred by section 67 of the Utilities Act 2000(**1**) and all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Electricity from Non-Fossil Fuel Sources (Locational Flexibility) (Scotland) Order 2002 and shall come into force on 31st March 2002.

(2) In this Order "Scotland" has the meaning given to it in section 126(1) of the Scotland Act 1998(**2**).

(3) This Order extends to Scotland only.

Modification of section 33

2.—(1) Section 33 of the Electricity Act 1989(**3**) shall be modified as set out in paragraph (2).

(2) Subsection (7A) shall be replaced with the following:–

"(7A) In this section, references to qualifying arrangements in relation to a supply successor company are to any arrangements which–

(a) are new arrangements, as defined in the Electricity from Non-Fossil Fuel Sources (Scotland) Saving Arrangements Order 2001(**4**) ("new arrangements"); or

(**1**) 2000 c. 27. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) (No. 2) Order 2001 (S.I.2001/3504), article 2 and the Schedule.
(**2**) 1998 c. 46.
(**3**) 1989 c. 29. Notwithstanding its repeal by section 66 of the Utilities Act 2000, section 33 continues to have effect in Scotland by virtue of article 11(1) of S.I. 2000/2727. Section 33 has been amended by S.I. 1997/1185, the Fossil Fuel Levy Act 1998 (c. 5) section 1 and by S.I. 2001/3269.
(**4**) S.I. 2001/3269 as amended by S.S.I. 2002/ .