STATUTORY INSTRUMENTS

2016 No. 450

ELECTRICITY

The Onshore Wind Generating Stations (Exemption) (England and Wales) (Amendment) Order 2016

Made - - - -	*29th March 2016*
Laid before Parliament	*30th March 2016*
Coming into force - -	*20th April 2016*

The Secretary of State for Energy and Climate Change, in exercise of the powers conferred by section 36(4) of the Electricity Act 1989(**1**), makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Onshore Wind Generating Stations (Exemption) (England and Wales) (Amendment) Order 2016 and comes into force on 20th April 2016.

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

Amendment to the Onshore Wind Generating Stations (Exemption) (England and Wales) Order 2016

2.—(1) Article 4 of the Onshore Wind Generating Stations (Exemption) (England and Wales) Order 2016(**2**) is amended as follows.

(2) The existing text of article 4 is numbered paragraph (1).

(3) In paragraph (1), for the words from "consent" to the end substitute "Condition 1 or Condition 2 is satisfied".

(4) After paragraph (1) insert—

"(2) Condition 1 is that consent under section 36(1) of the 1989 Act was granted before 1st March 2016.

(3) Condition 2 is that—

(**1**) 1989 c. 29. Relevant amendments to section 36 were made by: the Planning Act 2008 (c. 29) (section 36 and Schedule 2, paragraphs 31, 32(1) to (3)); the Marine and Coastal Access Act 2009 (c. 23) (section 12(7)(a), (8)); and the Energy Act 2004 (c. 20) (section 93(3)). Functions under section 36, in so far as exercisable in or as regards Scotland, transferred to the Scottish Ministers, by S.I. 2006/1040 (articles 2, 3 and 6).

(**2**) S.I. 2016/21.