

Bell, Jacqueline

From: O'Connor, Gerard
Sent: 27 May 2017 10:26
To: O'Connor, Gerard
Subject: FW: Draft Instructions for Parliamentary Council - Extension of renewable heating powers to Northern Ireland

From: Wheeler, Nicola
Sent: 07 March 2011 13:35
To: Hutchinson, Peter
Subject: Draft Instructions for Parliamentary Council - Extension of renewable heating powers to Northern Ireland

Peter

I refer to the above and to previous correspondence between yourself and Paul McGinn of this office. Paul has now asked me to consider the draft instructions on your behalf. I would hope to be able to do this within the next couple of days and return to you.

I the meantime, if you need to contact me, please do not hesitate to do so. I work Monday to Wednesday and can be contacted by e-mail or at the number listed below.

Regards

Nicola

*Nicola Wheeler
Principal Legal Officer
Departmental Solicitor's Office
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12 May Street
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BT1 4NL*

Ph 90 2(51275)

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Bell, Jacqueline

From: O'Connor, Gerard
Sent: 27 May 2017 10:25
To: O'Connor, Gerard
Subject: FW: Draft Instructions for Parliamentary Council - Extension of Renewable Heating Powers to NI

From: Wheeler, Nicola
Sent: 09 March 2011 11:44
To: Hutchinson, Peter
Subject: Draft Instructions for Parliamentary Council - Extension of Renewable Heating Powers to NI

Peter

I have had a look over the draft instructions to Parliamentary Council as drafted by SNR Denton's. They seem perfectly clear and well drafted to me. I just have a few suggested amendments in connection with some of their references to legislation. I will list them below.

Paragraph 1.1

It would be helpful if SNR would either footnote the reference to the Energy Act 2008, or insert it's citation number in brackets immediately after the reference to it. The citation is 2008 c.32.

Paragraph 2.4

As above, it would be helpful if SNR could provide the reference for the 2003 Order. It is S.I. 2003/419 (N.I. 6)

Paragraph 3.17

In the grid, in the second column, second entry, reference is made to 32M of the Electricity Act 1989. This section 32M does not yet appear on the statute law database version of the 1989 Act, which obviously needs to be updated. It would be helpful if SNR's could provide details of the legislation that inserts section 32M in a footnote. They should say, "Section 32M was inserted by 2008 c.32, section 37."

In the grid, in the third column, under the first entry, the correct title for the Gas Order 1996, as referred to, is the " Gas (Northern Ireland) Order 1996 and it's citation is S.I. 1996/275 (N.I. 2).

In the third column, in the second entry, 'section 55(f)' is referred to. The use of the word 'section' is incorrect, it should be 'Article'. Also, there isn't an Article 55(f). I think this should be Article 55F. Article 55F provides a definition of 'renewable sources' and was inserted by SR 2009 No. 35, Article 2. This should be footnoted. Also the word 'sources' should be inserted after the word 'renewable'.

There appears to be a few more matters needing finalised between DETI and SNR's but I assume that will be taken care of.

I hope this is of assistance to you.

Best wishes

Nicola

Nicola Wheeler

Principal Legal Officer

Departmental Solicitor's Office

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Bell, Jacqueline

From: O'Connor, Gerard
Sent: 27 May 2017 10:24
To: O'Connor, Gerard
Subject: FW: Draft Instructions for Parliamentary Council - Extension of Renewable Heating Powers to NI

From: Hutchinson, Peter
Sent: 09 March 2011 11:48
To: Wheeler, Nicola
Cc: Clydesdale, Alison
Subject: RE: Draft Instructions for Parliamentary Council - Extension of Renewable Heating Powers to NI

Nicola,

Many thanks for looking at these and for your comments.

Will pass on your comments to Denton's and ask them to make the necessary amendments. As you have pointed out, there are a couple of drafting note's that DETI must advise on before the instructions are finalised. Once Denton's make the final amendments I will send through to yourself and Paul so they can be formally sent to DECC.

Thanks,

Peter

Peter Hutchinson

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Web: www.detini.gov.uk

From: Wheeler, Nicola
Sent: 09 March 2011 11:44
To: Hutchinson, Peter
Subject: Draft Instructions for Parliamentary Council - Extension of Renewable Heating Powers to NI

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