



STATUTORY INSTRUMENTS.

**S.I. No. 283 of 2016**



ELECTRICITY REGULATION ACT 1999 (LPG SAFETY LICENCE)  
LEVY ORDER, 2016

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The Commission for Energy Regulation in exercise of the powers conferred on it by Paragraph 16 of the Schedule to the Electricity Regulation Act, 1999 (No. 23 of 1999) as amended by the Energy (Miscellaneous Provisions) Act 2012 (No. 3 of 2012), hereby makes the following Order:

1. (1) This Order may be cited as the Electricity Regulation Act, 1999 (LPG Safety Licence) Levy Order, 2016.

(2) This Order shall come into operation on 31 May 2016.

2. In this Order—

“the Act” means the Electricity Regulation Act, 1999 (No. 23 of 1999) as amended by the Act of 2012;

“Act of 2012” means the Energy (Miscellaneous Provisions) Act 2012 (No. 3 of 2012);

“banking day(s)” means day(s) on which banks in Ireland generally are open for business (except in any event on Saturday or Sunday);

“the Commission” means the Commission for Energy Regulation established under the Act;

“levy year” means the calendar year from 1 January 2016 to 31 December 2016;

“LPG” means Liquefied Petroleum Gas;

“phase” means, with regard to the first phase of the year 2016 only, the period from 1 June 2016 to 30 June 2016; and subsequent to this period means the period of 3 months starting on 1 July 2016 ending on 30 September 2016 or 1 October 2016 to 31 December 2016;

“relevant undertaking” means a holder of an LPG Safety Licence issued under s. 9JE(3) of the Act;

and any cognate words shall be construed accordingly.

3. In this Order—

(a) all words and expressions defined in the Act or in the Act of 2012 shall have the same meanings when used in this Order and where in any case a word or expression used in this Order is defined in each

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 3rd June, 2016.*

of the Act and the Act of 2012, the word or expression shall have the meaning given to it by the Act of 2012 for the purposes of this Order;

- (b) a reference to legislation is a reference to that legislation as amended from time to time; and
- (c) a reference to a sub-article is to the sub-article of the provision in which the reference occurs.

4. (1) A levy of €8.95 per customer for the levy year is hereby imposed on each of the relevant undertakings which hold a LPG safety licence at any point during the levy year.

(2) The levy imposed by sub-article (1) shall be payable in respect of each phase and in each case no later than the day which is 15 banking days after the date on which a request for payment of the levy instalment is made by the Commission.

5. (1) Where any amount falling to be paid under Article 4 is not paid within the period for payment specified in Article 5, interest thereon shall accrue at the prescribed interest rate compounded monthly from the date when such payment is due until the same is made.

(2) In this Regulation, “the prescribed interest rate” means a rate 2% per annum above the Euribor rate.

6. (1) All payments shall be made in Euro on the due date by direct bank transfer or equivalent instantaneous transfer of funds to the bank account specified by the Commission.

(2) Relevant undertakings shall notify the Commission as soon as payment has been made, indicating the date on which payment was made and the name of the bank effecting payment.

(3) A request for payment by the Commission to the relevant undertakings under this Order shall be made to the relevant undertaking in accordance with Section 4 of the Act.



Sealed with the common seal of the Commission for Energy  
Regulation,  
30 May 2016.

GARRETT BLANEY,  
Chairperson of the Commission.

EXPLANATORY NOTE.

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

This order imposes a levy on a licensed LPG undertaking, for the purpose of meeting expenses properly incurred by the Commission for Energy Regulation in the discharge of its functions under the Act and the Act of 2012.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
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DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

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€1.27

