STATUTORY RULES OF NORTHERN IRELAND

2009 No. 215

ELECTRICITY AND GAS

Electricity and Gas (Billing) Regulations (Northern Ireland) 2009

Made - - - -	*29th May 2009*
Coming into operation	*22nd June 2009*

The Department of Enterprise, Trade and Investment, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**).

The Department is designated for the purposes of the said section 2(2) in relation to measures relating to the regulation of the electricity sector and measures relating to natural gas and oil.

1. These Regulations may be cited as the Electricity and Gas (Billing) Regulations (Northern Ireland) 2009.

2.—(1) The Interpretation Act (Northern Ireland) 1954(**2**) shall apply to these Regulations as it applies to an Act of the Assembly.

(2) In these Regulations—

"Electricity supplier" shall be construed in accordance with Regulation 3(1);

"Gas supplier" shall be construed in accordance with the Regulation

"Domestic consumer" means—

(a) in relation to a gas supplier, any person who has contracted with that supplier for a supply of gas which is reasonably expected not to exceed 2,500 therms in each year; and

(b) in relation to an electricity supplier, any person who has contracted with the supplier for a supply of electricity at any premises wholly or mainly for domestic purposes.

"domestic premises" in relation to any domestic customer means the premises where the supply of gas or electricity to that person is taken.

"corresponding period" shall be construed—

(a) in relation to a bill or statement of account sent by an electricity supplier, in accordance with Regulation 4; and

(b) in relation to a bill or statement of account sent by a gas supplier, Regulation 5.

(**1**) 1972 c. 68
(**2**) 1954 c.23 (N.I.)

3.—(1) Any person who holds a licence under Article 10(1)(c) of the Electricity (Northern Ireland) Order 1992(**3**) ("an electricity supplier") shall provide each domestic customer supplied by him with electricity with the information referred to in Regulation 4.

(2) Any person who holds a licence under Article 9(1)(c) of the Gas (Northern Ireland) Order 1996(**4**) ("a gas supplier") shall provide each domestic customer supplied by him with gas with the information referred to in Regulation 5.

(3) The requirement in paragraph (1) only applies if the supplier has been contracted to give a supply of electricity to the same domestic consumer at the same domestic premises throughout the period—

(a) commencing with the start of the corresponding period; and

(b) ending with the end of the period to which the bill or statement of account relates.

(4) The requirement in paragraph (2) only applies if the supplier has been contracted to give a supply of gas to the same domestic customer at the same domestic premises throughout the period—

(a) commencing with the start of the corresponding period; and

(b) ending with the end of the period to which the bill or statement of account relates.

(5) The requirement in paragraph (1) does not apply if at any time before the start of the corresponding period the domestic customer has been supplied with a meter which provides him with accurate information about his actual energy consumption and its actual time of use.

4. The information referred to in Regulation 3(1) is a comparison of the customer's consumption of electricity in the period covered by the bill or statement or account with the same customer's consumption of electricity for the corresponding period in the previous year ("the corresponding period").

5. The information referred to in Regulation 3(2) is a comparison of the customer's consumption of gas in the period covered by the bill or statement of account with the same customer's consumption of gas for the corresponding period in the previous year ("the corresponding period").

6. Each bill or statement of account containing information in accordance with the requirements of these Regulations must—

(a) Present that comparison in a form that is clear and easy to understand; and

(b) Make it clear whether any estimates of the domestic customer's consumption of gas or electricity, as the case may be, had been used in producing the comparison.

7. In Article 42(2) of the Energy (Northern Ireland) Order 2003(**5**), in the definition of "relevant requirement"—

(a) at the end of sub-paragraph (a)(iii) insert—

"or the Electricity and Gas (Billing) Regulations (Northern Ireland) 2009;"; and

(b) at the end of sub-paragraph (b) insert—

"or under the Electricity and Gas (Billing) Regulations (Northern Ireland) 2009".

8. In Article 45—

(a) In paragraph (1) for "the Community Regulation" substitute "a Community Regulation"; and

(b) For paragraph (11) substitute

(**3**) S.I. 1993/231 (N.I.1)
(**4**) S.I. 1996/275 (N.I.2)
(**5**) S.I. 2003/419 (N.I.6)