STATUTORY RULES OF NORTHERN IRELAND

1999 No. 331

ELECTRICITY

Electricity (Standards of Performance) (Amendment No. 2) Regulations (Northern Ireland) 1999

Made - - - - 19th July 1999

The Director General of Electricity Supply for Northern Ireland, in exercise of the powers conferred by Articles 42 and 64 of the Electricity (Northern Ireland) Order 1992(**1**) and of every other power enabling him in that behalf, after consultation with public electricity suppliers and with persons and bodies appearing to him to be representative of persons likely to be affected by the exercise of the powers, and with the consent of the Department of Economic Development in accordance with Article 2(2) of that Order, hereby makes the following Regulations:

Citation and revocation

1.—(1) These Regulations may be cited as the Electricity (Standards of Performance) (Amendment No. 2) Regulations (Northern Ireland) 1999.

(2) The Electricity (Standards of Performance) (Amendment) Regulations 1999(**2**) are hereby revoked.

Amendment of the Electricity (Standards of Performance) Regulations (Northern Ireland) 1993

2. The Electricity (Standards of Performance) Regulations (Northern Ireland) 1993(**3**) shall be amended in accordance with regulations 3 to 11.

3. In regulation 2—

(a) the definition of "margins of error" in paragraph (1) shall be revoked;

(b) for the definitions of "prescribed period" and "prescribed sum" in paragraph (1) there shall be substituted respectively the following definitions—

> ""prescribed period" means, in a paragraph or sub-paragraph of a regulation, the period in column 2 of the Schedule opposite the reference to the paragraph or sub-paragraph of the regulation in column 1 of the Schedule;

(**1**) S.I.1992/231 (N.I. 1); Article 42 was amended by Articles 3 and 9(1) of, and paragraph 4 of Schedule 1 to, the Competition and Service (Electricity) (Northern Ireland) Order 1992, S.I. 1992/1720 (N.I. 13)

(**2**) S.R. 1999 No. 186

(**3**) S.R. 1993 No. 448 as amended by S.R. 1999 No. 186

"prescribed sum" means, in a paragraph or sub-paragraph of a regulation, where the customer is a domestic customer, the amount in column 3 of the Schedule, or where the customer is a non-domestic customer, the amount in column 4 of the Schedule in either case opposite the reference to that paragraph or sub-paragraph of the regulation in column 1 of the Schedule;";

(c) for sub-paragraph (a) of paragraph (2) there shall be substituted the following sub-paragraph—

"(a) where more than one person is a customer in respect of particular premises, a notice given by a supplier to one customer shall be a sufficient notice to every person who is a customer in respect of those premises;".

4. In regulation 3(5) for the definition of "working hours" there shall be substituted the following definition—

""working hours" means the period between 8.30 a.m. and 5.00 p.m. on each working day."

5. Regulations 8A and 8B shall be revoked.

6. In regulation 9—

(a) in paragraph (1)(a) for the word "method" there shall be substituted the word "methods";

(b) the word "or" shall be inserted at the end of paragraph (2)(a); and

(c) in paragraph (2), sub-paragraph (c) and the word "or" immediately preceding it shall be revoked.

7. In regulation 10(5)(b) for the words "under regulations 3, 8, 8A or 8B" there shall be substituted the words "under regulation 3 or 8".

8. For regulation 13(2) there shall be substituted the following paragraph—

"(2) Where this regulation applies and the supplier fails within the prescribed period from the commencement date to dispatch a notice to the customer advising that the payment is due to the customer, the supplier shall, except in any of the circumstances described in paragraph (3), pay to the customer the prescribed sum.".

9. In regulation 14(4) for the words "regulations 8(1), 8A(1) or 9(1)" there shall be substituted the words "regulation 8(1) or 9(1)".

10. For regulation 15 there shall be substituted the following regulation—

"**Presumptions and evidence**

15.—(1) Where the supplier holds—

(a) a record; or

(b) certified information,

concerning the receipt of information, stating the time and date upon which the information was received by the supplier, that information shall be presumed to have been received at that time and on that date, unless the contrary is proved.

(2) Where the supplier holds—

(a) a record; or

(b) certified information,

concerning the making of a visit stating the time and date upon which the visit was made by the supplier, that visit shall be presumed to have been made at that time and on that date, unless the contrary is proved.