
STATUTORY INSTRUMENTS

1992 No. 1720

**The Competition and Service (Electricity)
(Northern Ireland) Order 1992**

Billing disputes

6. After Article 47 of the Electricity Order there shall be inserted the following Article—

“Billing disputes

47A.—(1) Regulations may make provision for billing disputes to be referred to the Director for determination in accordance with the regulations.

(2) In this Article “billing dispute” means a dispute between a public electricity supplier and a tariff customer concerning the amount of the charge which the supplier is entitled to recover from the customer in connection with the provision of electricity supply services.

(3) Regulations under this Article may only be made after consulting—

- (a) the Director; and
- (b) persons or bodies appearing to the Department to be representative of persons likely to be affected by the regulations.

(4) Regulations under this Article may provide that, where a billing dispute is referred to the Director, he may either—

- (a) determine the dispute, or
- (b) appoint an arbitrator to determine it.

(5) Any person determining any billing dispute in accordance with regulations under this Article shall, in such manner as may be specified in the regulations, give his reasons for reaching his decision with respect to the dispute.

(6) Regulations under this Article may provide—

- (a) that disputes may be referred to the Director under this Article only by prescribed persons; and
- (b) for any determination to be final and enforceable as if it were a judgement of the county court.

(7) Except in such circumstances (if any) as may be prescribed—

- (a) the Director or an arbitrator appointed by him shall not determine any billing dispute which is the subject of proceedings before, or with respect to which judgement has been given by, any court; and
- (b) neither party to any billing dispute which has been referred to the Director for determination in accordance with regulations under this Article shall commence proceedings before any court in respect of that dispute pending its determination in accordance with the regulations.

(8) No public electricity supplier may commence proceedings before any court in respect of any charge in connection with the provision by him of electricity supply services unless,

not less than 28 days before doing so, the tariff customer concerned was informed by him, in such form and manner as may be prescribed, of—

- (a) his intention to commence proceedings;
- (b) the customer's rights by virtue of this Article; and
- (c) such other matters (if any) as may be prescribed.

(9) The powers of the Director under Article 31 shall also be exercisable for any purpose connected with the determination of any dispute referred to him in accordance with regulations made under this Article.”.