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STATUTORY INSTRUMENTS

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**2022 No. 1106**

**The Energy Bill Relief Scheme  
(Northern Ireland) Regulations 2022**

**PART 1**

Introductory

**CHAPTER 2**

Energy Bill Relief Scheme

**Establishment of the scheme**

**3.**—(1) These Regulations make provision for—

- (a) a support scheme<sup>(1)</sup> in respect of NI non-domestic electricity supply (“the electricity scheme”), and
- (b) a support scheme in respect of NI non-domestic gas supply (“the gas scheme”),

known collectively as the Energy Bill Relief Scheme for Non-Domestic Customers in Northern Ireland (“the scheme”).

(2) These Regulations apply separately for the purposes of the electricity scheme and the gas scheme, unless otherwise provided in these Regulations.

**Application of the scheme**

**4.**—(1) These Regulations apply in respect of energy supplied in the scheme period.

(2) These Regulations apply in relation to—

- (a) each supplier;
- (b) each supply contract;
- (c) all quantities of energy supplied under such supply contracts, other than—
  - (i) ineligible quantities;
  - (ii) quantities supplied under an excluded fixed price contract;
  - (iii) quantities supplied under a supply contract for which an opt-out notice has been given, as provided in paragraph (4), and has not been withdrawn;
  - (iv) non-qualifying quantities.

(3) Where a person has been a supplier during the scheme period but has ceased to hold an electricity supply licence or gas supply licence, the Regulations continue to apply to that person (as if it were a supplier) for the purposes of reconciliation, as provided in regulation 29.

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(1) Defined in paragraph 1 of Schedule 1 to the Energy Prices Act 2022.

(4) A customer may, by giving notice to a supplier, in respect of a supply contract between them, elect that no discount is to apply in respect of energy supplied under the supply contract on and from the date specified in such notice (which may be before, on, or after the date when the notice is given) (an “opt-out notice”).

(5) Where a customer has given an opt-out notice, it may give a further notice to the supplier, withdrawing the opt-out notice in respect of energy supplied under the supply contract on and from the date specified in such further notice (which may not be before the date when the notice is given).

(6) An opt-out notice may not be given earlier than 15 days after the scheme introduction date.

(7) For the purposes of the electricity scheme an “excluded electricity consumer” is a person that—

- (a) takes a supply of electricity that is NI non-domestic electricity supply within paragraph (a) of the definition of that term, but
- (b) is eligible for a reduction in charges for supply under a domestic electricity price reduction scheme for Northern Ireland established by the Secretary of State under section 5 of the Act.

### **Making of rules**

5. Rules made under these Regulations must—

- (a) be made by the Secretary of State;
- (b) be published as soon as is reasonably practicable after the rules are made;
- (c) come into force no earlier than the day after the day on which the rules are published.