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DRAFT STATUTORY INSTRUMENTS

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**2022 No.**

The Electricity and Gas (Energy  
Company Obligation) Order 2022

PART 8

Notification of Completed Measures

**Deadline for notification of completed measures**

**44.**—(1) For the purposes of article 43, a notification of a measure is made on time if it is received by the Administrator—

- (a) on or before the original deadline, which is—
  - (i) in the case of a measure completed before the end of the first month following the month in which the commencement date occurs, the end of the second month following the month in which the commencement date occurs;
  - (ii) in the case of a measure completed after the end of the first month following the month in which the commencement date occurs, the end of the first month following the month in which the measure was completed;
- (b) following an application under paragraph (4) which has been accepted by the Administrator, on or before the date specified by the Administrator under paragraph (6) (a); or
- (c) in the case of a measure falling within the 5% notification threshold for the participant (“the notifying participant”), before the earlier of—
  - (i) the end of the fourth month after the month in which the measure was completed; and
  - (ii) the end of June 2026.

(2) For the purposes of paragraph (1)(c), a measure falls within the 5% notification threshold for the notifying participant if—

- (a) the measure is completed on or after the commencement date;
- (b) the measure is notified to the Administrator after the original deadline; and
- (c) at the time the measure is notified, the result of the following formula is less than or equal to 0.05—
$$(F - G) / H$$

(3) In paragraph (2)—

“F” is the number of measures (also counting the measure being notified) which are—

- (a) completed in the same month as the measure being notified; and
- (b) notified after the original deadline by—
  - (i) the notifying participant; or
  - (ii) any other participant that is a member of the same group as the notifying participant;

“G” is the number of measures which are—

- (a) completed in the same month as the measure being notified;
- (b) the subject of an application under paragraph (4) which is accepted by the Administrator;  
and
- (c) notified, after the original deadline and on or before the date specified by the Administrator under paragraph (6)(a), by—
  - (i) the notifying participant; or
  - (ii) any other participant that is a member of the same group as the notifying participant;

“H” is the greater of 1 and the number of measures which are—

- (a) completed in the same month as the measure being notified; and
- (b) notified within the original deadline by—
  - (i) the notifying participant; or
  - (ii) any other participant that is a member of the same group as the notifying participant.

(4) A participant may apply before the end of May 2026 to the Administrator in writing for a measure to be notified after the original deadline.

(5) An application under paragraph (4) must include—

- (a) details of why the participant is seeking an extension of time to notify the measure; and
- (b) such other information relating to the measure as the Administrator may require.

(6) Following receipt of an application under paragraph (4), the Administrator must—

- (a) accept the application and specify a date, as it thinks fit but falling after the original deadline and before 1st July 2026, for the notification of the measure; or
- (b) reject the application.

(7) In this article, “original deadline” has the meaning given in paragraph (1)(a).