

Draft Order laid before Parliament under section 33BC(12) of the Gas Act 1986, as applied by section 33BD(4) of that Act, section 41A(12) of the Electricity Act 1989, as applied by section 41B(4) of that Act and section 103A(6) of the Utilities Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2022 No.

**ELECTRICITY
GAS**

**The Electricity and Gas (Energy
Company Obligation) Order 2022**

Made - - - - *******

Coming into force - - *******

The Secretary of State makes this Order in exercise of the powers conferred by section 33BD of the Gas Act 1986(1), section 41B of the Electricity Act 1989(2) and section 103A of the Utilities Act 2000(3), with the agreement of the Scottish Ministers(4).

The Secretary of State has consulted the Gas and Electricity Markets Authority, the National Association of Citizens Advice Bureaux, Consumer Scotland(5), electricity distributors, electricity suppliers, gas transporters, gas suppliers and such other persons as the Secretary of State considers appropriate.

A draft of this instrument has been approved by a resolution of each House of Parliament pursuant to section 33BC(12) of the Gas Act 1986(6), as applied by section 33BD(4) of that Act, section 41A(12) of the Electricity Act 1989(7), as applied by section 41B(4) of that Act and section 103A(6) of the Utilities Act 2000.

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- (1) 1986 c. 44. Section 33BD was inserted by section 68 of the Energy Act 2011 (c. 16).
(2) 1989 c. 29. Section 41B was inserted by section 69 of the Energy Act 2011.
(3) 2000 c. 27. Section 103A was inserted by section 70 of the Energy Act 2011 and amended by section 60 of the Scotland Act 2016 (c. 11) and S.I. 2014/631 and 2022/34.
(4) Notwithstanding section 33BDA of the Gas Act 1986 and section 41BA of the Electricity Act 1989, as inserted by section 59 of the Scotland Act 2016, the Secretary of State may, by virtue of section 33BDA(10) of the Gas Act 1986 and section 41BA(10) of the Electricity Act 1989, make provision under section 33BD of the Gas Act 1986 and section 41B of the Electricity Act 1989 for the purposes of obligations imposed under those sections in relation to Scotland, with the agreement of the Scottish Ministers.
(5) The Secretary of State consulted the Scottish Association of Citizens Advice Bureaux before the coming into force of S.I. 2022/34. By virtue of article 5 of that Order, that consultation has effect as if done by or in relation to Consumer Scotland.
(6) Section 33BC was inserted by section 99 of the Utilities Act 2000 (c. 27) and amended by section 15 of, and the Schedule to, the Climate Change and Sustainable Energy Act 2006 (c. 19), Schedule 8 to the Climate Change Act 2008 (c. 27), section 66 of the Energy Act 2011 (c. 16) and S.I. 2014/631 and 2022/34.
(7) Section 41A was inserted by section 70 of the Utilities Act 2000 and amended by section 16 of, and the Schedule to, the Climate Change and Sustainable Energy Act 2006, Schedule 8 to the Climate Change Act 2008, section 67 of, and Schedule 1 to, the Energy Act 2011 and S.I. 2014/631 and 2022/34.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK
Statutory Instrument: The Electricity and Gas (Energy Company Obligation) Order 2022 No. 875
