

(3) In paragraph (4)(c), after “that person’s business”, insert “or would have been but for the application of regulation 9A”.

4. After regulation 9 insert—

“Modification of the application of Regulation 9

9A.—(1) This regulation applies in relation to an EII application—

- (a) which is made before 1st April 2026;
- (b) in respect of which the relevant period by virtue of regulation 9(2)(a) would, but for the application of this regulation, be the three most recent consecutive business years for which there are annual accounts for the business; and
- (c) in which the applicant has included a request that this regulation should apply.

(2) Where this regulation applies, the applicant may specify in the application any three of the five most recent business years for which there are annual accounts in respect of the business and the expression “relevant period” is to be construed as a reference to the period or periods covered by the accounts specified by the applicant.”

Date *Name*
Parliamentary Under Secretary of State
Department for Business and Trade

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Electricity Supplier Obligations (Amendment & Excluded Electricity) Regulations 2015 to allow reduced levels of accounting information to be submitted by new companies that are applying for an EII certificate. The amendments also allow certain applicants for EII certificates flexibility in the accounting information they are required to submit where their businesses have been disrupted by the Covid 19 pandemic. The amendments allow such applicants to choose any 3 years of the preceding 5 years that accounts are available rather than being required to rely on the last 3 years to establish that they qualify for an EII certificate.

A full impact assessment has not been published for this instrument as it has minimal impact on the private sector and the voluntary sector.

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