

2001 No. 3263

ELECTRICITY

The Electricity (Unmetered Supply) Regulations 2001

Made - - - - - *28th September 2001*

Coming into force - - *1st October 2001*

The Gas and Electricity Markets Authority in exercise of the powers conferred by section 60 and paragraph 1(1A) of Schedule 7 to the Electricity Act 1989(a) and with the consent of the Secretary of State, in accordance with paragraph 13 of the said Schedule 7, makes the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Electricity (Unmetered Supply) Regulations 2001 and shall come into force on 1st October 2001.

Interpretation

2. In these Regulations—
- “the Act” means the Electricity Act 1989;
 - “appropriate meter” shall have the meaning given to that term in paragraph 1(6) of Schedule 7 to the Act;
 - “the Authority” means the Gas and Electricity Markets Authority;
 - “customer” means any person supplied or requiring to be supplied with electricity at any premises in Great Britain;
 - “metering costs” means the cost associated with ascertaining by an appropriate meter the quantity of electricity supplied to a customer by an authorised supplier; and
 - “unmetered supply” means a supply of electricity to premises which is given otherwise than through an appropriate meter.

Circumstances permitting unmetered supply

- 3.—(1) Subject to sub-paragraphs (2) and (3), an unmetered supply may be given where—
- (a) the electrical load is of a predictable nature, and
 - (b) either—
 - (i) the electrical load is less than 500W; or
 - (ii) it is not practical for a supply of electricity to be given through an appropriate meter at the premises due to—
 - (aa) the anticipated metering costs in the particular case being significantly higher than the usual metering costs associated with that size of electrical load;
 - (bb) technical difficulties associated with providing such a meter in the particular case; or

(a) 1989 c. 29.

(cc) operation of law so as to prohibit or make excessively difficult the provision of such a meter in the particular case.

(2) Subject to regulation 4, an unmetered supply shall only be given where the authorised distributor, authorised supplier and the customer have agreed to such a supply.

(3) An unmetered supply which does not fall into the categories given in sub-paragraph (1) and which is first given prior to the date on which these Regulations came into force and which has been so supplied since that date, may continue to be an unmetered supply where the authorised distributor, authorised supplier and customer concerned agree to such continuation.

Disputes

4.—(1) Any dispute between the authorised distributor, the authorised supplier and the customer as to whether or not regulation 3 applies in particular circumstances—

- (a) may be referred to the Authority by any party to the dispute; and
- (b) on such reference, shall be determined (by order in writing to the parties) by the Authority or, if it thinks fit, by such person as it may appoint.

(2) A person making an order under paragraph (1) shall include in the order the reasons for reaching the decision with respect to the dispute.

(3) An order under paragraph (1)—

- (a) shall be final and shall be enforceable—
 - (i) in England and Wales, as if it were a judgement of a county court, and
 - (ii) in Scotland, as if it were an extract registered decree arbitral bearing a warrant for execution issued by the sheriff.
- (b) may include a provision requiring any party to pay a sum in respect of the reasonable costs or expenses incurred by the person making the order.

The seal of the Gas and Electricity Markets Authority
here affixed is authenticated by the signature of

M. C. McCarthy,
A member of the Authority
21st September 2001



I Consent

28th September 2001

Brian Wilson,
Minister of State for Industry and Energy,
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations)

Paragraph (1) of Schedule 7 to the Electricity Act 1989 provides that where a customer of an electricity supplier is to be charged wholly or partly by reference to the quantity of electricity supplied, the supply shall be given through, and the quantity of electricity shall be ascertained by, an appropriate meter. Paragraph (1A) of Schedule 7, as inserted by the Utilities Act 2000, provides that an electricity supplier may give a supply otherwise than through an appropriate meter in such circumstances as may be prescribed. These Regulations prescribe the circumstances in which a supply of electricity may be unmetered.

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