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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prescribe standards for the handling of consumer complaints by regulated providers and for the supply of information to consumers about the prescribed standards and levels of compliance with those standards.

The Regulations come into force on 1 October 2008.

Regulation 1 provides for the citation, commencement and extent of the Regulations and

Regulation 2 provides for the interpretation of the Regulations.

Regulation 3 requires regulated providers to have a complaints handling procedure for handling all consumer complaints from receipt through to resolution. The requirements differ amongst regulated providers, with some being required to award compensation in specific circumstances, where appropriate.

Regulation 4 specifies the information about consumer complaints that must be recorded by regulated providers upon receipt of such complaints.

Regulation 5 specifies the information that must be recorded by regulated providers about consumer complaints that have not been resolved by the regulated provider by the end of the next working day.

Regulation 6 requires regulated providers to inform consumers in writing of the consumer's right to refer the consumer complaint to the redress scheme on the earlier of (1) when the regulated provider realises that the consumer complaint cannot be resolved to the satisfaction of the consumer, or (2) the expiry of the time period that the regulated provider has to resolve the complaint.

Regulation 7 sets out how regulated providers should deal with consumer complaints and requires that they allocate sufficient resources to enable them to do so.

Regulation 8 requires regulated providers to establish arrangements to deal with the investigation of vulnerable consumer complaints and the investigation of complaints relating to disconnection of gas or electricity. Regulated providers should also take necessary or appropriate additional steps to resolve consumer complaints that involve vulnerable consumers.

Regulation 9 requires regulated providers to establish arrangements for the referral of consumer complaints or, where applicable, complainants from Consumer Direct to the regulated provider.

Regulation 10 requires regulated providers to make information concerning their complaints handling procedures available to consumers in particular ways and at particular times.

Regulation 11 requires regulated providers who hold supply licences to prepare and publish an annual report concerning their complaints handling procedure, mentioning the existence of the Regulations and setting out certain details concerning the consumer complaints they have received from domestic consumers during the relevant period.

An impact assessment that took the Regulations into consideration, has been prepared and was included in the full Impact Assessment which accompanied the document 'Consumers, Estate Agents and Redress Act 2007; Measures to Strengthen and Streamline Consumer Advocacy.' A copy is available from the Department for Business Enterprise and Regulatory Reform, Victoria Street, London SW1H 0ET and can also be found at <http://berr.gov.uk/files/file43215.pdf>.

**Changes to legislation:**

There are currently no known outstanding effects for the The Gas and Electricity (Consumer Complaints Handling Standards) Regulations 2008.