

STATUTORY INSTRUMENTS

2014 No. 3219

The Electricity and Gas (Energy Company Obligation) Order 2014

PART 4

Achievement of obligations, determining savings and surplus actions

Transfers of qualifying actions

26.—(1) A qualifying action achieved by a supplier (“A”) may be regarded as achieved by another supplier (“B”) (“a transfer”) if that transfer is approved by the Administrator.

(2) A and B must—

- (a) apply for approval in writing to the Administrator by no later than [^{F1}31st December 2018];
- (b) provide to the Administrator such information as the Administrator may reasonably require; and
- (c) indicate whether B intends the qualifying action to be credited towards B’s—
 - (i) total carbon emissions reduction obligation;
 - (ii) total carbon saving community obligation; or
 - (iii) total home heating cost reduction obligation.

[^{F2}(3) The Administrator must approve a transfer unless—

- (a) B has indicated that it intends the qualifying action to be credited towards a different obligation to the one it is credited against at the time the application is made and the Administrator is not satisfied that the qualifying action meets the applicable requirements in articles 12 to 16 in respect of that different obligation;
- (b) the application is made on or after 1st July 2017, the qualifying action is credited against A’s total carbon saving community obligation at the time the application is made and the Administrator is not satisfied that the qualifying action is an excess CSCO action; or
- (c) the application is made on or after 1st July 2017 and B has indicated that it intends the qualifying action to be credited towards B’s total carbon saving community obligation.

(3A) For the purposes of paragraph (3)(b), an excess CSCO action is a qualifying action which is not required by A to meet its total carbon saving community obligation.]

(4) If the Administrator decides not to approve a transfer under paragraph (3) it must notify A and B of the reasons for that decision.

(5) If a transfer is approved, the qualifying action is treated as achieved by B and not A.

Textual Amendments

F1 Words in art. 26(2)(a) substituted (29.3.2017) by [The Electricity and Gas \(Energy Company Obligation\) \(Amendment\) Order 2017 \(S.I. 2017/490\)](#), arts. 1(1), **21(1)**

Changes to legislation: *There are currently no known outstanding effects for the The Electricity and Gas (Energy Company Obligation) Order 2014, Section 26. (See end of Document for details)*

F2 Art. 26(3)(3A) substituted for art. 26(3) (29.3.2017) by [The Electricity and Gas \(Energy Company Obligation\) \(Amendment\) Order 2017 \(S.I. 2017/490\)](#), arts. 1(1), **21(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Electricity and Gas (Energy Company Obligation) Order 2014, Section 26.