
STATUTORY INSTRUMENTS

2015 No. 1544

The Electricity and Gas (Standards of Performance) (Suppliers) Regulations 2015

Citation, commencement, transitional and savings provisions

1.—(1) These Regulations may be cited as the Electricity and Gas (Standards of Performance) (Suppliers) Regulations 2015 and come into force on 1st January 2016.

(2) These Regulations are subject to the following transitional provisions—

- (a) regulation 3 (appointments) does not apply to any request for an appointment which is made before 1st January 2016;
- (b) regulations 4 and 5 (faulty meters and faulty prepayment meters) do not apply to any notification of a kind described in regulation 4(1) or 5(1) which is made before 1st January 2016;
- (c) regulation 6 (reconnection) does not apply to any arrangements made between a customer and supplier in relation to reconnection where these arrangements are made before 1st January 2016;
- (d) regulation 8 (suppliers' payment obligations) does not apply to any payment which is received by a supplier from an electricity distributor or a gas transporter for onward transmission to the supplier's customer before 1st January 2016; and
- (e) the Schedule (standards of performance – practice and procedure for determinations) does not apply in respect of any dispute which is referred to the Authority before 1st January 2016.

(3) Where paragraph (2)(a), (b), (d) or (e) applies, the Electricity (Standards of Performance) Regulations 2015(1) or the Gas (Standards of Performance) Regulations 2005(2) continue to apply, as applicable, as if they had not been amended by these Regulations.

(4) Where paragraph (2)(c) applies—

- (a) service 4 of the standards of overall performance determined by the Authority in December 2001 under section 33B(3) of the Gas Act; or
- (b) service 2 of the standards of overall performance determined by the Authority in September 2002 under section 40 of the Electricity Act,

continues to apply, as applicable.

(5) For the purposes of paragraph (2)(d), “customer” has the meaning given in regulation 7(2).

(1) [S.I. 2015/699](#).

(2) [S.I. 2005/1135](#).

(3) The standards of overall performance determined by the Authority in December 2001 under section 33B of the Gas Act 1986 and the standards of overall performance determined by the Authority in September 2002 under section 40 of the Electricity Act 1989 were revoked by the Gas and Electricity Markets Authority with effect from 1st January 2016, subject to regulation 1(4) of these Regulations. Details of where those standards of overall performance can be viewed are provided in the Explanatory Note to these Regulations.

General interpretation

2.—(1) In these Regulations—

- “additional standard payment” has the meaning given in regulation 8(3);
- “customer” means, except where otherwise provided for in these Regulations, domestic customer;
- “distributed payment” has the meaning given in regulation 7(2);
- “domestic customer” means a natural person supplied or requiring to be supplied with gas or electricity at domestic premises (but excluding such person insofar as they are supplied or require to be supplied with gas or electricity at premises other than domestic premises);
- “domestic premises” means premises at which a supply of gas or electricity is taken or to be taken wholly or mainly for domestic purposes;
- “Electricity Act” means the Electricity Act 1989(4);
- “electricity meter” means a meter which conforms to the requirements of paragraph 2 of Schedule 7 to the Electricity Act;
- “Gas Act” means the Gas Act 1986(5);
- “gas meter” means a meter which conforms to the requirements of section 17(1)(6) of the Gas Act;
- “individual standard of performance” means one of the standards of performance a supplier is required to meet under regulations 3 to 6;
- “make a payment” includes crediting the account of a customer for charges incurred or to be incurred in respect of the supply of gas or electricity;
- “meter” means a gas meter or an electricity meter;
- “micro-business customer” means a customer (other than a domestic customer), which is a “relevant consumer” (in respect of premises other than domestic premises) for the purposes of article 2(1) of the Gas and Electricity Regulated Providers (Redress Scheme) Order 2008(7);
- “standard payment” has the meaning given in regulation 8(2);
- “supplier” means a gas supplier or an electricity supplier;
- “working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day that is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971(8); and
- “working hours” means the period between 8am and 8pm on a working day and between 9am and 5pm on any other day.

(2) For the purposes of these Regulations—

- (a) where more than one person is a customer (however defined for the purposes of any provision of these Regulations to which this paragraph applies) in respect of a particular premises by virtue of receiving a shared supply of gas or electricity through a shared meter, the supplier discharges its obligations in respect of all of those customers, so far as those obligations arise in relation to those premises, by fulfilling its obligations to any one of those customers; and

(4) 1989 c.29.

(5) 1986 c.44.

(6) Section 17 was substituted by paragraph 13 of Schedule 3 to the Gas Act 1995; there are other amendments not relevant to these Regulations.

(7) S.I. 2008/2268, as amended by S.I. 2014/2378.

(8) 1971 c.80.

- (b) any reference to a customer (however defined for the purposes of any provision of these Regulations to which this paragraph applies) includes any person who the supplier reasonably believes has authority to represent the customer (except where the reference to a customer relates to the entitlement to any payment due from a supplier under these Regulations).

Appointments

- 3.—(1) This regulation applies where—
- (a) a customer requests that their supplier visits the customer’s premises, or a supplier requests permission to visit their customer’s premises;
 - (b) the visit is in connection with activities that the supplier is required or authorised to carry out under its licence; and
 - (c) the visit either requires access to the customer’s premises to be afforded to the supplier’s representative, or is a visit for which it would otherwise be reasonable to expect the customer to be present.
- (2) Where this regulation applies, the requirements on the supplier set out in paragraphs (3), (5), (7), (8) and (9) are each an individual standard of performance.
- (3) The supplier must within a reasonable time offer the customer an appointment that—
- (a) is on a date that is itself within a reasonable time; and
 - (b) takes place within a specified period of time that is—
 - (i) no more than 4 hours long; and
 - (ii) during working hours.
- (4) In paragraph (3), reference to “within a reasonable time” means within a reasonable time of—
- (a) a request made by the supplier or the customer under paragraph (1)(a); or
 - (b) a request to rearrange the appointment by the customer or the supplier.
- (5) Subject to paragraph (6), where a supplier is required to offer a customer an appointment under this regulation and the customer requests that the appointment takes place on a particular date and time, the supplier must not unreasonably withhold agreement to that request.
- (6) The supplier is not obliged to agree to an appointment under paragraph (5) that is to take place within a specified period of time that is—
- (a) less than 2 hours long; or
 - (b) not during working hours.
- (7) A supplier must not rearrange an appointment less than 1 working day prior to the date of the appointment without—
- (a) obtaining the express agreement of the customer to the rearrangement; and
 - (b) retaining a written record of the basis of the customer’s agreement to the rearrangement.
- (8) The supplier must keep an appointment offered in accordance with paragraph (3) and accepted by the customer, or agreed in accordance with paragraph (5) subject to—
- (a) any cancellation or requested rearrangement by the customer; or
 - (b) any rearrangement by the supplier (and any such rearrangement must be in accordance with paragraph (7) where it occurs less than 1 working day prior to the date of the appointment).

(9) In keeping the appointment in accordance with paragraph (8), the supplier must ensure that whoever represents it for that purpose possesses the necessary skills, experience and resources to fulfil the purpose of the appointment as the supplier reasonably understands it.

(10) In this regulation, “customer” includes micro-business customer.

Faulty meters

4.—(1) This regulation applies where—

- (a) a customer notifies their supplier that the customer considers that a meter, through which the customer receives a supply of gas or electricity from the supplier, is operating outside the margins of error; or
- (b) a customer notifies their supplier of matters relating to a meter, through which the customer receives a supply of gas or electricity from the supplier, that the supplier ought reasonably to expect to mean that the meter is operating outside the margins of error.

(2) This regulation does not apply where the meter through which the customer receives the supply of gas or electricity is a prepayment meter.

(3) Where this regulation applies, the requirements on the supplier set out in paragraph (4)(a), (b) and (c) are each an individual standard of performance.

(4) Within 5 working days of receiving a notification under paragraph (1)(a) or (b), the supplier must—

- (a) complete an initial assessment of whether the meter is operating outside the margins of error;
- (b) take an appropriate action; and
- (c) offer to confirm, in writing—
 - (i) the nature and outcome of that initial assessment and that appropriate action; and
 - (ii) the actions which the supplier will take to ensure that the customer is receiving the supply referred to in paragraph (1) through a meter operating within the margins of error and the timescale within which those actions will occur.

(5) For the purposes of paragraph (4)—

- (a) where—
 - (i) the supplier has advised a customer of a particular postal address that is appropriate for receipt of the information described in paragraph (1)(a) or (b); and
 - (ii) the customer notifies the supplier of that information by post alone, the information is to be treated as received by the supplier when it is received at that particular postal address; and
- (b) where notification is given to the supplier outside working hours, the period of time within which the individual standard of performance must be completed begins to run at the commencement of the next following period of working hours.

(6) In this regulation—

“appropriate action” means action which will assist the supplier to—

- (a) identify the cause of the customer’s meter operating outside the margins of error; or
- (b) ensure that the customer is receiving the supply referred to in paragraph (1) through a meter operating within the margins of error;

“margins of error” means—

- (a) in relation to a gas meter, the standards or margins of error prescribed in the Gas (Meters) Regulations 1983⁽⁹⁾ or the Measuring Instruments (Gas Meters) Regulations 2006⁽¹⁰⁾, as applicable; or
- (b) in relation to an electricity meter, the prescribed margins of error or the agreed margins of error as defined by paragraph 13 of Schedule 7 to the Electricity Act or regulation 28(2) (b) of, and paragraph 15 of Schedule 1 to, the Measuring Instruments (Active Electrical Energy Meters) Regulations 2006⁽¹¹⁾, as applicable; and

“prepayment meter” means any meter operating in a mode that requires a customer to pay for the consumption of gas or electricity through that meter in advance of that consumption.

Faulty prepayment meters

5.—(1) This regulation applies where—

- (a) a customer notifies their supplier that the customer considers that a prepayment meter, through which the customer receives a supply of gas or electricity from the supplier, is faulty; or
- (b) a customer notifies their supplier of matters relating to a prepayment meter, through which the customer receives a supply of gas or electricity from the supplier, that the supplier ought reasonably to expect to mean that the meter is faulty.

(2) Where this regulation applies, the individual standards of performance are—

- (a) the requirement on the supplier set out in paragraphs (3) and (4); and
- (b) the requirement on the supplier set out in paragraph (5).

(3) Where paragraph (1) applies and the customer has lost supply of gas or electricity from the meter, the supplier must take either of the steps set out in paragraph (4) within—

- (a) 3 hours on a working day; or
- (b) 4 hours on any other day,

of receiving a notification under paragraph (1).

(4) The supplier must—

- (a) arrive at the customer’s premises to commence such work as appears necessary to ensure that the supply of gas or electricity is restored to the customer; or
- (b) where the supply of gas or electricity can be restored without a visit by the supplier to the customer’s premises, commence such work as appears necessary to ensure that the supply of gas or electricity is restored to the customer.

(5) Where paragraph (1) applies and the customer has not lost supply of gas or electricity from the meter, the supplier must take an appropriate action within—

- (a) 3 hours on a working day; or
- (b) 4 hours on any other day,

of receiving a notification under paragraph (1).

(6) For the purposes of paragraphs (3) and (5)—

- (a) where—
 - (i) the supplier has advised a customer of a particular postal address that is appropriate for receipt of the information described in paragraph (1)(a) or (b); and

⁽⁹⁾ S.I. 1983/684, amended by S.I. 1991/1471, 1993/1521 and 1995/1251.

⁽¹⁰⁾ S.I. 2006/2647, amended by S.I. 2010/2881 and 2011/1043.

⁽¹¹⁾ S.I. 2006/1679, amended by S.I. 2010/2881.

- (ii) the customer notifies the supplier of that information by post alone, the information is to be treated as received by the supplier when it is received at that particular postal address; and
 - (b) where notification is given to the supplier outside working hours, the period of time within which the individual standard of performance must be completed begins to run at the commencement of the next following period of working hours.
- (7) In this regulation—
- “appropriate action” means action which will assist the supplier to—
- (a) confirm whether the customer’s prepayment meter is faulty;
 - (b) restore the faulty meter to being a working meter; or
 - (c) replace the faulty meter with a working meter;
- “faulty” in relation to a prepayment meter, means a meter which is not operating so as to permit a supply of gas or electricity to be given to a customer’s premises in the manner for which that prepayment meter was designed;
- “prepayment meter” has the meaning given in regulation 4(6); and
- “working” in relation to a prepayment meter, means a meter which is operating so as to permit a supply of gas or electricity to be given to a customer’s premises in the manner for which that prepayment meter was designed.

Reconnection

6.—(1) This regulation applies where a supplier has disconnected the supply of gas or electricity to a customer’s premises as a result of any non-payment of gas or electricity charges by the customer and—

- (a) the customer has—
 - (i) paid the relevant charges;
 - (ii) paid the reasonable expenses of disconnection and of re-connecting the supply of gas or electricity; and
 - (iii) given a security deposit, if requested by the supplier in accordance with the relevant condition of a licence granted under section 7A of the Gas Act(12) or section 6 of the Electricity Act(13); or
- (b) the customer and the supplier have agreed a repayment plan in relation to the relevant charges.

(2) Where this regulation applies, the individual standard of performance is the requirement on the supplier set out in paragraph (3).

(3) Within 24 hours of the earlier of the events referred to in paragraph (1)(a) or (b), the supplier must have reconnected the supply of gas or electricity to the customer’s premises.

(4) For the purposes of paragraph (3), where the events referred to in paragraph (1)(a) or (b) occur outside working hours, the period of time within which the individual standard of performance must be completed begins to run at the commencement of the next following period of working hours.

(12) 1986 c.44; section 7A was inserted by section 6(1) of the Gas Act 1995 (c.45) and amended by section 3(2) of and paragraph 2 of Schedule 6 and Schedule 8 to the Utilities Act 2000 (c.27) and section 149(7) of the Energy Act 2004 (c.20).

(13) 1989 c.29; section 6 was amended by section 30 of the Utilities Act 2000, sections 89, 136 and 145 of, paragraph 5 of Schedule 19 and Part 1 of Schedule 23 to the Energy Act 2004, paragraph 2 of Schedule 8 to the Climate Change Act 2008 (c.27), paragraph 3 of Schedule 1 to the Energy Act 2011 (c.16) and S.I. 2011/2704 and 2012/2400.

Distributed payments

7.—(1) When a supplier receives a distributed payment for onward transmission to the supplier’s customer, the supplier must relay the distributed payment to that customer within 10 working days of receipt of the distributed payment.

(2) In this regulation—

“customer” means any person who is supplied or requires to be supplied with gas conveyed through pipes or with electricity at premises which that person owns or occupies; and

“distributed payment” means a payment to be made by—

(a) a gas transporter to a customer—

(i) in fulfilment of an obligation imposed on it by regulations made under section 33AA(14) of the Gas Act; or

(ii) following a determination by the Authority under section 33AB of the Gas Act; or

(b) an electricity distributor to a customer—

(i) in fulfilment of an obligation imposed on it by regulations made under section 39A(15) of the Electricity Act; or

(ii) following a determination by the Authority under section 39B of the Electricity Act.

Suppliers’ payment obligations

8.—(1) A supplier must meet each individual standard of performance set out in regulations 3 to 6.

(2) If a supplier fails to meet any individual standard of performance it must, for each such failure, make a payment of £30 (a “standard payment”) to the customer who is affected by the failure within 10 working days of the supplier’s initial failure to achieve the relevant individual standard of performance.

(3) If a supplier—

(a) fails to make a standard payment in accordance with paragraph (2); or

(b) fails to relay a distributed payment in accordance with regulation 7(1),

it must, for each such failure, make a payment of £30 (an “additional standard payment”) to the customer who is affected by the failure within 10 working days of that failure.

(4) The obligation to make an additional standard payment under paragraph (3) is additional to the obligation to make a standard payment under paragraph (2) or relay a distributed payment under regulation 7(1).

(5) In relation to any premises at which more than one person is a customer, a standard payment, distributed payment or additional standard payment to any of the customers in respect of those premises is a complete discharge of the supplier’s obligation to make the payment in question to all the customers of the premises.

(6) Nothing in, or done by a supplier in consequence of, these Regulations determines who is beneficially entitled to any payment made under these Regulations.

(7) Where a customer requests that a payment actually or potentially due to be made to the customer under these Regulations is made by a particular payment method, the supplier must not unreasonably withhold agreement to make the payment to the customer by that method.

(14) Section 33AA was inserted by section 90(2) of the Utilities Act 2000.

(15) Section 39A was inserted by section 54(2) of the Utilities Act 2000.

(8) This regulation is subject to regulation 9 (exemptions and limitations to supplier payment obligations).

(9) In this regulation, “customer” —

- (a) includes micro-business customer in the application of this regulation to an individual standard of performance in regulation 3 (appointments); and
- (b) means, in the application of this regulation to any failure of a supplier to relay a distributed payment under regulation 7 (distributed payments), any person who is supplied or requires to be supplied with gas conveyed through pipes or electricity at premises which that person owns or occupies.

Exemptions and limitations to supplier payment obligations

9.—(1) Where a supplier’s failure to meet an individual standard of performance is continuing, a supplier is not required to make more than one standard payment under regulation 8(2) in respect of that failure.

(2) Where a supplier’s failure to make a standard payment under regulation 8(2) or relay a distributed payment under regulation 7(1) is continuing, the supplier is not required to make more than one additional standard payment under regulation 8(3) in respect of that failure.

(3) A supplier is not obliged to make a standard payment under regulation 8(2) or an additional standard payment under regulation 8(3), as applicable, if—

- (a) there is a genuine dispute between the supplier and the customer as to whether the supplier is obliged to make the standard payment or the additional standard payment;
- (b) the customer notifies the supplier that the customer does not wish the supplier to take any action, or any further action, in relation to the matter and the notification occurs before the time when the supplier would have failed to meet the individual standard of performance had the notification in question not occurred;
- (c) the supplier reasonably considers that the following matters are frivolous or vexatious—
 - (i) the notification given by the customer to the supplier under regulation 4(1) or 5(1); or
 - (ii) the request made by the customer under regulation 3(1);
- (d) the customer has—
 - (i) committed an offence under paragraph 10 or 11 of Schedule 2B to the Gas Act(16) or under paragraph 6 of Schedule 6 to, or paragraph 11 of Schedule 7 to, the Electricity Act(17); or
 - (ii) failed to pay any charges due to the supplier after receiving notice under paragraph 7(3) of Schedule 2B to the Gas Act(18) or paragraph 2(2) of Schedule 6 to the Electricity Act,
 and the action taken or not taken by the supplier was in exercise of its powers under the relevant paragraph; or
- (e) it was not reasonably practicable for the supplier to meet the individual standard of performance before the contravention time as a result of—
 - (i) severe weather conditions;
 - (ii) the act or default of a person who is not an officer, employee or agent of the supplier and who is not a person acting on behalf of an agent of the supplier;

(16) Schedule 2B was inserted by section 9(2) of, and Schedule 2 to, the Gas Act 1995.

(17) Schedule 6 was substituted by Schedule 4 to the Utilities Act 2000.

(18) Paragraph 7 of Schedule 2B was amended by section 84(4) of, and Schedule 8 to, the Utilities Act 2000 and section 23 of the Energy Act 2011 (c.16).

- (iii) the inability of the supplier to obtain any necessary access to any premises;
 - (iv) the existence of circumstances by reason of which the supplier could reasonably expect that, if it took the action required by the regulation in relation to which the standard payment or additional standard payment is due, it would or would be likely to be in breach of an enactment;
 - (v) the effects of an event for which emergency regulations have been made under Part 2 of the Civil Contingencies Act 2004⁽¹⁹⁾; or
 - (vi) other circumstances of an exceptional nature beyond the control of the supplier, and the supplier has complied with the requirements set out in paragraph (4).
- (4) In the event of any of the circumstances set out in paragraph (3)(e)—
- (a) the supplier must, prior to the contravention time, have taken all such steps as were reasonable to—
 - (i) prevent the circumstances from occurring (other than the circumstances in paragraph (3)(e)(i) or (v)); and
 - (ii) prevent the circumstances from having the effect that it was not reasonably practicable for the supplier to meet the individual standard of performance in question; and
 - (b) when the action required by the individual standard of performance is the keeping of an appointment in accordance with regulation 3 (appointments) or attending the customer’s premises in fulfilment of any obligations under regulation 4 or 5 (faulty meters and faulty prepayment meters), the supplier must—
 - (i) if practicable to do so before the contravention time, explain why the supplier is unable to keep the appointment or attend the premises; or
 - (ii) if not practicable to do so before the contravention time, explain as soon as reasonably practicable after the contravention time why the supplier was unable to keep the appointment or attend the premises.
- (5) A supplier is not obliged to make a standard payment following failure to meet any individual standard of performance set out in regulation 3 (appointments)—
- (a) when the appointment is for the purpose of responding to a notification given under regulation 5(1) (faulty prepayment meters) or where it relates to the events referred to in regulation 6(1) (reconnection); or
 - (b) when the appointment is wholly or mainly in connection with disconnecting the premises in exercise of the power contained in paragraph 7 of Schedule 2B to the Gas Act or in paragraph 2 of Schedule 6 to the Electricity Act⁽²⁰⁾.
- (6) Where an appointment is agreed in accordance with regulation 3 (appointments) for more than one purpose, the supplier is not, in respect of that appointment, required to make more than one standard payment in respect of any failure to meet a relevant individual standard of performance under regulation 3.
- (7) A supplier is not obliged to make a standard payment following a failure to meet any individual standard of performance set out in regulation 4 (faulty meters) or 5 (faulty prepayment meters) if it is necessary to attend the customer’s premises in order to achieve the standard of performance and the customer has asked the supplier not to do so.
- (8) In this regulation—

⁽¹⁹⁾ 2004 c.36.

⁽²⁰⁾ Paragraph 2 of Schedule 6 was amended by section 24 of the Energy Act 2011.

“contravention time” means the time at which, if this regulation did not apply, the supplier would become liable to make the standard payment or additional standard payment to the customer;

“customer”—

- (a) includes micro-business customer in the application of this regulation to an individual standard of performance in regulation 3 (appointments); and
- (b) means, in the application of this regulation to any failure of a supplier to relay a distributed payment under regulation 7 (distributed payments), any person who is supplied or requires to be supplied with gas conveyed through pipes or electricity at premises which that person owns or occupies; and

a “genuine dispute” does not exist between the supplier and the customer as to whether the supplier is obliged to make a standard payment or an additional standard payment, unless the supplier believes, on reasonable grounds, that it is not obliged to make the standard payment or the additional standard payment.

Statement of obligations

10.—(1) Whenever circumstances arise to which any individual standard of performance applies in relation to a customer, the supplier must notify the customer promptly of the applicable individual standard of performance.

(2) A supplier must prepare and from time to time revise a statement describing—

- (a) the requirements of regulations 3 to 9; and
- (b) the matters set out in paragraphs (3) and (4), as applicable.

(3) If the supplier is a gas supplier, the supplier must describe—

- (a) any standards of performance applying to gas transporters which are prescribed under section 33AA of the Gas Act or determined under section 33BA(21) of that Act; and
- (b) the effect of section 33A(5) of that Act.

(4) If the supplier is an electricity supplier, the supplier must describe—

- (a) any standards of performance applying to electricity distributors which are prescribed under section 39A of the Electricity Act or determined under section 40A(22) of that Act; and
- (b) the effect of section 39(4) of that Act.

(5) The statement must be in plain and intelligible language and have a form and content that a supplier could reasonably expect to be within the understanding of customers to whom the statement relates.

(6) A supplier must ensure that the statement is at all times readily accessible on its website.

(7) Upon request from a customer or potential customer, a supplier must provide the statement in such format as the customer or potential customer may reasonably request.

(8) An electricity supplier must, at least once in any period of 12 months, send to any of its customers who are the subject of a distributor request a notice of electricity interruption and restoration standards.

(9) In this regulation—

“customer”—

- (a) in relation to paragraph (1), includes micro-business customer;

(21) 1986 c.44; section 33BA was inserted by section 91 of the Utilities Act 2000.

(22) 1989 c.29; section 40A was inserted by section 55 of the Utilities Act 2000.

- (b) in relation to paragraphs (5) and (7), means any person who is supplied or requires to be supplied with gas conveyed through pipes or electricity at premises which that person owns or occupies;

“distributor request” means a request from an electricity distributor to a supplier that the supplier forward a copy of that distributor’s current notice of electricity interruption and restoration standards to one or more identified customers of the supplier; and

“notice of electricity interruption and restoration standards” means a notice prepared by an electricity distributor describing the standards of performance applying to electricity distributors which are prescribed under section 39A of the Electricity Act and which relate to supply interruption and restoration.

Dispute resolution

11. The Schedule (standards of performance – practice and procedure for determinations) sets out the practice to be followed in connection with the determination of any dispute under section 33A of the Gas Act, section 39 of the Electricity Act, or any provision of these Regulations, which is referred to the Authority for determination under section 33AB(1) of the Gas Act or section 39B(1) of the Electricity Act.

Amendment of the Gas (Standards of Performance) Regulations 2005

12. The Gas (Standards of Performance) Regulations 2005(23) are amended as follows—

- (a) in regulation 3 (interpretation)—
- (i) for the definition of “relevant operator”(24) substitute—
- ““relevant operator” means the relevant gas transporter or the gas transporter according to the circumstances of the relevant customer’s case;”
- (ii) omit the definitions of “appropriate meter”, “margins of error” and “specified time”;
- (b) for the heading of Part 2 (Gas supplier’s and gas transporter’s individual standards of performance), substitute “Gas transporter’s individual standards of performance”;
- (c) omit regulations 4, 5, 6, 12(1) and (3), 14, 15(1), (3) and (4) and 16;
- (d) in regulation 13(4) (exemptions), for the words “regulation 6(1) or 10(1)(d)”, substitute “regulation 10(1)(d)”;
- (e) for the heading of Schedule 1, Part 1 (Prescribed periods and prescribed sums applicable to all gas suppliers and gas transporters), substitute “Prescribed Periods and Prescribed Sums Applicable to all Gas Transporters”; and
- (f) in Schedule 1, Part 1, omit the entries in the table in relation to regulations 4(2), (4)(a) and (4)(b), 5(3), 6(2) and (3) and 12(3).

Amendment of the Gas (Standards of Performance) (Amendment) Regulations 2008

13. The Gas (Standards of Performance) (Amendment) Regulations 2008(25) are amended as follows—

- (a) omit regulation 2(2)(n);
- (b) omit regulation 11; and

(23) [S.I. 2005/1135](#), amended by [S.I. 2008/696](#).

(24) The definition of “relevant operator” was substituted by [S.I. 2008/696](#).

(25) [S.I. 2008/696](#).

- (c) in regulation 12(2), omit the entries in the table in relation to regulations 4(2), (4)(a) and (4)(b), 5(3), 6(2) and (3) and 12(3) of the Gas (Standards of Performance) Regulations 2005.

Amendment of the Electricity (Standards of Performance) Regulations 2015

14. The Electricity (Standards of Performance) Regulations 2015(26) are amended as follows—

- (a) in regulation 3(1) (General interpretation)—
- (i) omit the definition of “margins of error”; and
 - (ii) for the definition of “relevant operator”, substitute—

““relevant operator” means the relevant electricity distributor or the electricity distributor”;
- (b) omit regulations 14, 15, 16, 17(3)(a) and (4)(a), 19(3) and (6), 22(2), (4) and (5) and 23;
- (c) in regulation 17(6)(b) (appointments), for the words “11, 13, 15 or 16”, substitute “11 or 13”;
- (d) in regulation 20(4) (exemptions), for the words “regulation 13(1), 14(1) or 15(1)”, substitute “regulation 13(1)”;
- (e) in regulation 21 (timing of notification), for the words “regulations 13, 14 and 15”, substitute “regulation 13”; and
- (f) in Schedule 2 (data for the purpose of calculating payments), omit the entries in the table in relation to regulations 14(2)(a), (2)(b) and (2)(c), 15(2), (4)(a) and (4)(b), 16(3), 17(3)(a) and (4)(a) and 19(6).

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



9th July 2015

Dermot Nolan
A member of the Authority

I consent

11th July 2015

Andrea Leadsom
Minister of State
Department of Energy and Climate Change