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STATUTORY INSTRUMENTS

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**2022 No. 1106**

The Energy Bill Relief Scheme  
(Northern Ireland) Regulations 2022

PART 2

Discounted supply price

CHAPTER 3

Discounting supply price under supply contracts

**Calculation of base discount**

17.—(1) Subject to paragraph (4), the “base discount” in respect of a supply contract for any period (“P”) is determined as—

(RWP-GSP)

Where—

RWP is the reference wholesale price applicable to that supply contract for P, subject to paragraph (4);

GSP is the government supported price.

(2) The Secretary of State must determine the base discounts for fixed price contracts, variable price contracts and DAI price contracts, and publish them with the corresponding reference wholesale prices.

(3) Where regulation 48 applies, the base discount is reduced in accordance with that regulation.

(4) Where regulation 39(1) applies, the reference wholesale price is determined under subparagraph (c) of that regulation.

**Commencement Information**

II Reg. 17 in force at 1.11.2022, see [reg. 1\(1\)](#)

**Calculation of discount**

18. The reduction (in p/kWh) in the supply price under a supply contract to be applied pursuant to the scheme in respect of that contract for any period (“P”) (“the discount”) is calculated as—

$\max \{ \min (BD, MD, (SP - MP)), 0 \}$

Where—

BD is the base discount in respect of that supply contract for P;

MD is—

- (a) in relation to a variable price contract, a flexible price contract or a DAI price contract, the maximum discount;
- (b) in relation to a fixed price contract—
  - (i) except as provided in sub-paragraph (ii), the base discount;
  - (ii) if the price-fix date is later than the date the contract is entered into, in respect of any period before the price-fix date, the maximum discount;

SP is the supply price for P;

MP is the minimum supply price.

#### Commencement Information

**I2** Reg. 18 in force at 1.11.2022, see [reg. 1\(1\)](#)

#### Duty of suppliers to provide the discount

**19.**—(1) A supplier must, in respect of each supply contract—

- (a) determine the base discount and the discount for any period in respect of that contract;
- (b) reduce the supply price under each supply contract by the discount;
- (c) reduce the amount charged to the customer in respect of supply in any billing period by an amount calculated as the billed supply quantity multiplied by the discount;
- (d) for each billing period, inform the customer in, or within 15 days of issuing, its invoice or other statement of account in relation to the supply contract in respect of that period, of—
  - (i) the amount of the discount;
  - (ii) the discounted supply price;
  - (iii) the amount by which its charges for supply in the billing period have been reduced by applying the discount, or the basis on which that amount can be determined.

(2) In relation to a flexible price contract the information provided by the supplier under paragraph (1)(d) must include an explanation of how the reference wholesale price for the relevant billing period has been calculated.

(3) Where a supplier adjusts its charges to a customer in consequence of energy reconciliation in respect of any period, the adjustment must be made on the basis of the discounted supply price applicable to such period.

(4) In respect of the period from the scheme commencement date to the scheme introduction date, a supplier must, no later than 45 days after the scheme introduction date—

- (a) determine the amount by which its charges to a customer for energy supplied in that period are to be reduced by the application of the discount;
- (b) where it has issued an invoice or statement of account to the customer in respect of any such charges, revise such invoice or statement or issue a credit note to reflect such reduction in charges;
- (c) where the customer has paid any amount in respect of such charges, credit to the customer's account the amount by which such payment exceeds what was payable on the basis of

the discounted supply price, or at the customer's request reimburse such amount to the customer.

(5) A supplier must ensure that—

- (a) the amounts which are the subject of arrangements it makes with or requirements it imposes on any customer in connection with the payment (or assurance of payment) or collection of charges under a supply contract, are amounts calculated by reference to the discounted supply price;
- (b) where a customer takes its supply through a prepayment meter, the prepayment meter is set or reset, or other arrangements are made, as soon as reasonably practicable after the scheme introduction date, to ensure that the amounts paid by the customer over the scheme period reflect charges at the discounted supply price for supply in the scheme period.

(6) Arrangements referred to in paragraph (5)(a) include (without limitation) arrangements for advance payment, payment by direct debit, payment by instalments, security or credit cover for payment.

**Commencement Information**

**I3** Reg. 19 in force at 1.11.2022, see [reg. 1\(1\)](#)

**Consequences of change in contract categorisation**

**20.** Where the categorisation of a supply contract under regulation 14 is revised, either by agreement of the contract parties or by determination of the Secretary of State under these Regulations, the supplier must—

- (a) redetermine the amount of any charges for energy supplied under the contract prior to the date of such revision on the basis of the discounted supply price applicable to the contract as re-categorised;
- (b) determine the amount by which any such charges already included in any invoice or statement of account are to be revised to reflect such redetermination;
- (c) notify the customer of its determinations under paragraphs (a) and (b) and take the necessary steps to ensure the amount in paragraph (b) is credited or debited to the customer by way of credit note, or adjustment of an existing invoice or statement of account, or inclusion in a future invoice or statement of account.

**Commencement Information**

**I4** Reg. 20 in force at 1.11.2022, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Energy Bill Relief Scheme (Northern Ireland) Regulations 2022, CHAPTER 3.