
STATUTORY INSTRUMENTS

2022 No. 1106

**The Energy Bill Relief Scheme
(Northern Ireland) Regulations 2022**

PART 6

Further provisions

CHAPTER 4

Certain determinations made under the Regulations

Interpretation of this Chapter

67.—(1) In this Chapter—

- (a) “applicant” in relation to a review request, means the supplier or, under [^{F1}regulation 70(1)], customer making the request;
- (b) reference to a “determination” includes a redetermination;
- (c) “Part 2 or Part 4 matter” means any matter which is to be determined or declared in relation to a supply contract by a supplier or customer under Part 2 or Part 4;
- (d) “Part 3 decision” means a decision by the Secretary of State—
 - (i) under regulation 27, to withhold payment to a supplier of any amount in respect of a recovery claim amount;
 - (ii) under regulation 28, as to the release of an amount withheld under regulation 27;
 - (iii) under regulation 29, as to the reconciliation cut-off date in relation to any supplier;
 - (iv) under regulation 31(1), to decline to make payment (in whole or part) in respect of a discount recovery claim on the grounds of invalidity;
 - (v) under regulation 31(2), to adjust the amount of a discount recovery claim;
 - (vi) under regulation 31(3), to give a notice that is to be treated as a discount recovery claim;
- (e) “other party” in relation to a review request under [^{F2}regulation 70(1)], means the contract party which is not the applicant;
- (f) “reconsidered decision” has the meaning given in regulation 70(4)(c)(i);
- (g) “relevant decision” in relation to a review request, means the determination or decision in respect of which the request is made;
- (h) a “review request” is a request made to the Secretary of State under regulation 70(1) or 70(2).

(2) For the purposes of this Chapter a referral under regulation 68 or a review request does not meet the applicable threshold if—

- (a) it is vexatious or frivolous,

- (b) the financial consequences for the applicant or (where applicable) the other party of a determination under regulation 68(3) or a reconsidered decision would not be material, or
- (c) the referral or review request is not made within a period which (in all the circumstances) is reasonable after—
 - (i) the customer was notified or otherwise informed of the supplier’s determination referred to in regulation 68(1)(a), or
 - (ii) (as the case may be) the relevant decision was made.

- F1** Words in [reg. 67\(1\)\(a\)](#) substituted (5.11.2022) by [The Energy Bill Relief Scheme and Energy Price Guarantee Pass-through Requirement and Miscellaneous Amendments Regulations 2022 \(S.I. 2022/1125\)](#), regs. 1(1), **8(c)**
- F2** Words in [reg. 67\(1\)\(e\)](#) substituted (5.11.2022) by [The Energy Bill Relief Scheme and Energy Price Guarantee Pass-through Requirement and Miscellaneous Amendments Regulations 2022 \(S.I. 2022/1125\)](#), regs. 1(1), **8(c)**

Commencement Information

- I1** Reg. 67 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, Section 67.