
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the pass-through requirement in relation to the Energy Bill Relief Scheme for Non-Domestic Customers in Northern Ireland (NI EBRS). The pass-through requirement is imposed on a person who supplies and charges for the supply of heating or hot water to an end user through a heat network using energy⁽¹⁾ in respect of which the person has been provided a scheme benefit (“intermediary”). It requires the intermediary to pass on the benefits of the NI EBRS to its end users.

Regulation 3 makes provision about energy price support provided by the NI EBRS. This is defined as a “scheme benefit”.

Regulation 4 requires an intermediary who has been provided with a scheme benefit to notify each of its end users in writing that it has been provided with the benefit.

Regulation 5 imposes a requirement on intermediaries to secure that a scheme benefit provided to an intermediary is passed on to its end users as soon as reasonably practicable after it has been provided with the scheme benefit. If not all of the scheme benefit is being passed on to the end users, intermediaries are required to pass on a just and reasonable amount of the benefit to each of its end users.

Regulation 6 defines “pass-through amount” and provides for methods of calculating the amount and determining what is a just and reasonable pass-through amount.

Regulation 7 requires intermediaries to provide billing information to end users.

Regulation 8 provides for the end user to recover unpaid pass-through amounts from the intermediary as a civil debt.

Regulation 9 provides for investigation of complaints by the General Consumer Council for Northern Ireland.

An impact assessment of the effect the NI EBRS, including the related pass-through requirements, will have on the costs of business and the voluntary sector is available from the Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London, SW1H 0ET.

(1) See section 28(4) of the Act for the meaning of this term.

Changes to legislation:

There are currently no known outstanding effects for the The Energy Bill Relief Scheme Pass-through Requirement (Heat Suppliers) (Northern Ireland) Regulations 2022.