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STATUTORY INSTRUMENTS

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**2023 No. 454**

**The Energy Bills Discount Scheme  
(Northern Ireland) Regulations 2023**

**PART 1**

**Introductory**

**CHAPTER 2**

**Energy Bills Discount Scheme**

**Application**

**3.—**(1) Unless these Regulations provide otherwise, they apply separately for the purposes of the following schemes which they establish—

- (a) a scheme for reducing the amounts that would otherwise be charged for electricity supply by licensed electricity suppliers (the “electricity scheme”), and
- (b) a scheme for reducing the amounts that would otherwise be charged for gas supply by licensed gas suppliers (the “gas scheme”).

(2) The electricity scheme and the gas scheme are referred to collectively as the Energy Bills Discount Scheme for Non-Domestic Customers in Northern Ireland) (the “scheme”).

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**Commencement Information**

**II** Reg. 3 in force at 26.4.2023, see [reg. 1\(1\)](#)

**Energy in scope of the scheme**

**4.—**(1) These Regulations apply to all energy supplied under a supply contract in a scheme period, other than—

- (a) any ineligible quantity;
- (b) any quantity supplied under an excluded fixed price contract;
- (c) any quantity supplied under a supply contract for which an opt-out notice has been given under paragraph (3), and has not been withdrawn.

(2) Where a person has been a supplier during a scheme period but has ceased to hold an electricity supply licence or gas supply licence, the Regulations continue to apply to that person (as if it were a supplier) for the purposes of reconciliation, as provided in regulation 39.

(3) A customer may, by giving notice to a supplier, elect that no discount is to apply in respect of energy supplied under a supply contract between them on and from the date specified in such notice (which may be before, on, or after the date when the notice is given) (an “opt-out notice”).

(4) Where a customer has given an opt-out notice, it may give a further notice to the supplier, withdrawing the opt-out notice in respect of energy supplied under the supply contract on and from the date specified in the further notice (which may not be before the date when the notice is given).

(5) For the purposes of the electricity scheme an “excluded electricity consumer” is a person that—

- (a) takes a supply of electricity that is NI non-domestic electricity supply within paragraph (a) of the definition of that term, but
- (b) is eligible for a reduction in charges for supply under a domestic electricity price reduction scheme for Northern Ireland established by the Secretary of State under section 5 of the Act.

**Commencement Information**

**I2** Reg. 4 in force at 26.4.2023, see [reg. 1\(1\)](#)

**Making of rules**

5.—(1) Rules made under these Regulations—

- (a) must be—
  - (i) made by the Secretary of State;
  - (ii) published as soon as is reasonably practicable after they are made;
- (b) come into force when they are published or on such later date as they specify.

(2) Rules made under these Regulations may confer a discretion on the Secretary of State.

**Commencement Information**

**I3** Reg. 5 in force at 26.4.2023, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Energy Bills Discount Scheme (Northern Ireland) Regulations 2023, CHAPTER 2.