
STATUTORY INSTRUMENTS

2023 No. 454

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

PART 2

Discounted supply price

CHAPTER 2

Categorisation of supply contracts

Duty of supplier to categorise contracts

- 11.**—(1) A supplier must, in respect of each of its supply contracts—
- (a) determine whether it is a fixed price contract, a flexible price contract, a variable price contract or a DAI price contract (each being a “category” of supply contract);
 - (b) in the case of a fixed price contract—
 - (i) determine the price-fix date;
 - (ii) determine whether it is an excluded fixed price contract.
 - (c) in circumstances specified in rules made under paragraph (6), determine whether it is to be treated as comprising more than one supply contract, and if so, on what basis.
- (2) If a supplier determines that a supply contract is required by any provision of these Regulations or rules made under them to be treated as comprising more than one supply contract, paragraphs (1) (a) and (b) apply separately to each such contract.
- (3) A supplier must give notice to the customer of the determinations made under paragraph (1).
- (4) The determinations in respect of a supply contract under paragraph (1) must be made and notice under paragraph (3) given by the later of the scheme introduction date and the time at which the supply contract is entered into.
- (5) A supplier must apply the methodology established and updated from time to time in accordance with regulation 12 in making the determinations under paragraph (1).
- (6) The Secretary of State may make rules—
- (a) about the basis on which it is to be determined whether a supply contract is a fixed price contract, a variable price contract, a flexible price contract or a DAI price contract;
 - (b) about the basis on which the price-fix date of a fixed price contract is to be determined;
 - (c) specifying circumstances in which a supply contract must be treated for the purposes of the scheme as comprising, as to different portions of the energy supplied under it, more than one contract, and, for these purposes, the two or more contracts which it is to be treated as comprising may be of the same or different categories referred to in paragraph 1(a).

Changes to legislation: There are currently no known outstanding effects for the The Energy Bills
Discount Scheme (Northern Ireland) Regulations 2023, Section 11. (See end of Document for details)

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Commencement Information

11 Reg. 11 in force at 26.4.2023, see [reg. 1\(1\)](#)

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There are currently no known outstanding effects for the The Energy Bills Discount Scheme (Northern Ireland) Regulations 2023, Section 11.