
STATUTORY INSTRUMENTS

2023 No. 454

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

PART 2

Discounted supply price

CHAPTER 3

Energy and Trade Intensive Industries and Domestic Heat Consumers

Qualifying heat suppliers: applications for certificates

17.—(1) Where the Secretary of State receives a QHS application, the Secretary of State must issue a QHS certificate in respect of the QHS applicant, stating that conditions in paragraphs (2) and (3) (the “QHS certification criteria”) are satisfied in respect of the QHS applicant and a heat network, if—

- (a) the QHS application is made in accordance with Chapter 3 rules, and
- (b) the Secretary of State, having considered the application, determines that the QHS certification criteria are satisfied in respect of the QHS applicant and the heat network to which the application relates (the “relevant heat network”).

(2) The first condition is that—

- (a) the QHS applicant is a qualifying heat supplier, and
- (b) the qualifying heat supply is made through the relevant heat network.

(3) The second condition is that the QHS applicant makes the qualifying heat supply using—

- (a) third party energy, or
- (b) heating or hot water that—
 - (i) another person makes available to the QHS applicant, and
 - (ii) is so made available by that person using energy supplied or otherwise made available to it by a person other than itself or the QHS applicant.

(4) A qualifying heat supplier that makes qualifying heat supply in respect of which the condition in paragraph (3) is satisfied must apply for a QHS certificate in respect of the relevant heat network.

(5) A qualifying heat supplier is not under the duty in paragraph (4) if and for so long as it is not aware, and could not reasonably be expected to be aware, that any heat consumer that it supplies through the relevant heat network is a domestic heat consumer.

(6) A QHS certificate must state the certification date, which is—

- (a) the scheme start date, where the QHS certification criteria were satisfied on or before that date;
- (b) otherwise, the date with effect from which the QHS certification criteria were satisfied.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(7) If either of the QHS certification criteria ceases to be satisfied in respect of a certified heat supplier and the relevant heat network, the certified heat supplier must, as soon as reasonably practicable, give notice to that effect to each higher-tier provider and the Secretary of State, stating the date of such cessation.

(8) The Secretary of State may revoke a QHS certificate issued to any person if the Secretary of State determines that—

(a) at the time of the Secretary of State’s determination under paragraph (1)(b), either of the QHS certification criteria was not satisfied;

(i) in consequence of the determination being based on information that was materially incorrect or misleading, or

(ii) for any other reason;

(b) either of the QHS certification criteria is no longer satisfied in respect of that person and the relevant heat network.

(9) A QHS applicant that makes a QHS application in accordance with Chapter 3 rules is not required to submit a notification under regulation 3 of the Heat Network Metering and Billing Regulations 2014⁽¹⁾ before 25th July 2023.

(1) S.I. 2014/3120, amended by S.I. 2015/855 and 2020/1221.