
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

Chapter 3 rules

27.—(1) The Secretary of State must in rules specify SIC codes which identify categories of activities which the Secretary of State considers to be activities with high energy intensity and trade intensity.

(2) The Secretary of State must make rules about ETII applications and QHS applications.

(3) Rules made under paragraph (2)—

(a) must in particular make provision about—

(i) the form, content and submission of ETII applications and QHS applications;

(ii) the handling of applications by the Secretary of State;

(b) must specify the form and content of ETII applications and QHS applications;

(c) may specify—

(i) the basis on which the Secretary of State will be satisfied that the consequences of a person holding an ETII certificate would be or are in accordance with Article 10 of the Windsor Framework;

(ii) any information, documents or other evidence that ETII applicants and QHS applicants must submit with their applications or subsequently, including any information that ETII applicants must provide to allow the Secretary of State to be satisfied on the basis specified in rules under paragraph (i).

(4) Rules made under paragraph (2) may also make provision about—

(a) how it is to be determined, for the purposes of regulation 16(4)(a) or 16(5)(c) whether ETII qualifying activities are a substantial part of a person's activities;

(b) the minimum period for which an ETII applicant must satisfy the ETII certification criteria before it may make an ETII application;

(c) the time by which an ETII application must be made in order for the ETII applicant to be eligible to be certified for the purposes of the scheme;

(d) the time by which a qualifying heat supplier must apply for a QHS certificate;

(e) whether an activity carried on by another person on behalf of an excepted ETII body is to be treated as carried on by that body for the purposes of regulation 16(5)(c).

Status: Point in time view as at 27/03/2024.

Changes to legislation: There are currently no known outstanding effects for the The Energy Bills Discount Scheme (Northern Ireland) Regulations 2023, Section 27. (See end of Document for details)

- (5) The Secretary of State may make rules about ETII certificates and QHS certificates.
- (6) Rules made under paragraph (5) may in particular make provision about—
 - (a) the nature, form and content of a certificate;
 - (b) the sending and receiving of a certificate;
 - (c) the revocation of a certificate.
- (7) The Secretary of State may make rules about—
 - (a) the notification of benefit calculation periods under regulation 20, and
 - (b) the estimation, determination and notification of ETII proportions and QHS proportions, under regulation 21.
- (8) Rules made under paragraph (7) may in particular make provision about—
 - (a) the form and content of such notifications, and any information, documents or other evidence to be submitted with them;
 - (b) how such estimates and determinations are to be made;
 - (c) the timing of giving such notifications.
- (9) The Secretary of State must make rules specifying applicable tests for the purposes of regulation 24(4) (supply redetermination event).

Commencement Information

II Reg. 27 in force at 26.4.2023, see [reg. 1\(1\)](#)

Status:

Point in time view as at 27/03/2024.

Changes to legislation:

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