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STATUTORY INSTRUMENTS

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**2023 No. 454**

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

**PART 4**

**Adjustment of discount or supply quantity in certain cases**

**CHAPTER 4**

**Declarations to be made where customer is making  
energy available to end users outside Northern Ireland**

**Application of this Chapter**

- 61.—**(1) This Chapter applies in respect of a supply contract, subject to paragraph (2), where —
- (a) it may reasonably be expected that—
    - (i) the quantity of energy supplied to the customer at the premises to which the supply contract relates in the 12-month period starting on 1st April 2023 will exceed 0.5 gigawatt hours, or
    - (ii) the maximum rate at which energy is supplied under the contract at any time will exceed 0.5 megawatts, and
  - (b) arrangements are in place under which—
    - (i) energy supplied to the customer under the supply contract may be made available to an end user at premises located outside Northern Ireland, or
    - (ii) heating, cooling, hot water or electricity may be made available, using energy supplied under the supply contract, to an end user at premises located outside Northern Ireland.
- (2) This chapter does not apply where—
- (a) the quantities in which or rates at which—
    - (i) energy (as provided in paragraph (1)(b)(i)), and
    - (ii) heating, cooling, hot water or electricity (as provided in paragraph (1)(b)(ii)) may be made available to end users outside Northern Ireland are not material, and
  - (b) the application of this Chapter would be disproportionate, having regard to the complexity of determining non-qualifying quantities and to the quantities and rates referred to in sub-paragraph (a).
- (3) Any arrangement of the kind described in paragraph (1)(b) is a “relevant arrangement” for the purposes of this Chapter.