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DRAFT STATUTORY INSTRUMENTS

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**2012 No.**

**The Electricity and Gas (Energy  
Companies Obligation) Order 2012**

**PART 3**

Determining carbon emissions reduction obligations, carbon saving  
community obligations and home heating cost reduction obligations

**Determining carbon emissions reduction obligations, carbon saving community obligations  
and home heating cost reduction obligations**

**8.**—(1) Except where paragraph (6) or (7) applies, the Administrator must determine for each phase a supplier's obligations in paragraph (2).

(2) The obligations referred to in paragraph (1) are a supplier's—

- (a) carbon emissions reduction obligation;
- (b) carbon saving community obligation; and
- (c) home heating cost reduction obligation.

(3) For the purposes of paragraph (1), the Administrator must—

- (a) in the case of a supplier which is not a group company during the phase to which a determination relates, make the determination in accordance with article 9;
- (b) in the case of a supplier which is a group company during the phase to which a determination relates, make the determination in accordance with article 10.

(4) A determination under paragraph (1) of a supplier's obligations in paragraph (2) must be notified to the supplier—

- (a) for phase 1, by no later than the twelfth working day after day on which the supplier has notified the Administrator under article 7(1) in relation to the relevant notification period;
- (b) for phase 2 and phase 3, by no later than the last day of February prior to the commencement of the phase.

(5) In respect of a supplier to whom paragraph (6) or (7) applies, the Administrator must notify the supplier of the obligation by no later than the last day of February prior to the commencement of the relevant phase.

(6) Where a supplier is not a group company, each of a supplier's obligations in paragraph (2) for a phase is zero where the supplier has notified under article 7 a supply of gas or electricity for the relevant notification period which does not exceed a qualifying supply.

(7) Where a supplier is a group company, each of a supplier's obligations in paragraph (2) for a phase is zero where the supplier has notified under article 7 a supply of gas or electricity for the group for the relevant notification period which does not exceed a qualifying supply.

(8) A supplier is a group company during—

- (a) phase 1, where it is a member of a group with another supplier at the end of 31st December 2011;
- (b) phase 2 or phase 3, where it is a member of a group with another supplier at the end of 31st December immediately before the commencement of that phase.