
DRAFT STATUTORY INSTRUMENTS

2012 No.

The Electricity and Gas (Energy
Companies Obligation) Order 2012

PART 5

Enforcement

Final determination and reporting

22.—(1) The Administrator must determine whether a supplier has achieved its—

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

(2) A supplier may apply to the Administrator, in writing, by 31st March 2015 for a qualifying action (“Q”) or an excess action (“E”) to be credited against a different obligation from the one notified under article 16(6) or article 21(2)(b).

(3) The Authority must approve an application—

- (a) if it is satisfied that Q or E, as applicable, is a qualifying action in respect of that different obligation; and
- (b) unless it has reasonable grounds to believe that if the application was approved A would not be able to achieve its—
 - (i) total carbon emissions reduction obligation;
 - (ii) total carbon saving community obligation; or
 - (iii) total home heating cost reduction obligation.

(4) The Administrator must notify the supplier of its determination under paragraph (1) no later than 1st July 2015.

(5) The Administrator must submit to the Secretary of State a report each month, commencing in March 2013, setting out the progress which suppliers have made towards meeting their obligations under this Order.

(6) Not later than 31st January 2016 the Administrator must submit to the Secretary of State a report setting out whether suppliers achieved the—

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

Information from suppliers

23.—(1) The Administrator may require a supplier—

- (a) to provide it with specified information, or information of a specified nature, about a supplier's proposals for complying with any requirement under this Order;
 - (b) to produce to it evidence of a specified kind demonstrating it is complying with, or that it has complied with, any requirement under this Order.
- (2) A supplier must provide to the Administrator such information as the Administrator may require relating to the cost to the supplier of achieving its obligations under this Order.

Enforcement

24. A requirement placed on a supplier under this Order is a relevant requirement for the purpose of—

- (a) Part I of the Electricity Act 1989; and
- (b) Part I of the Gas Act 1986.