



Energy Act 2010

2010 CHAPTER 27

PART 3

REGULATION OF GAS AND ELECTRICITY MARKETS

Notice of unilateral changes to domestic supply contracts

- 25 Modifications of supply licences: notice of unilateral changes to domestic supply contracts**
- (1) The Secretary of State may modify—
- a condition of a particular licence under section 7A(1) of the Gas Act 1986 (supply licences);
 - the standard conditions incorporated in licences under that provision by virtue of section 8 of that Act;
 - a condition of a particular licence under section 6(1)(d) of the Electricity Act 1989 (supply licences);
 - the standard conditions incorporated in licences under that provision by virtue of section 8A of that Act.
- (2) The Secretary of State may make a modification under subsection (1) only for the purpose of securing that customers under contracts for domestic supply are notified about changes which licence holders make under unilateral variation terms in—
- any terms of such contracts, or
 - the price charged for energy supplied under such contracts,
- within a period specified in (or determined by reference to criteria set by) the licence as so modified.
- (3) Modifications under subsection (1) may include provision—
- requiring a notice to be given before or after the change to which it relates is made,
 - about the form of a notice and the manner in which it is to be given,

Status: This is the original version (as it was originally enacted).

- (c) about the effect of a notice,
 - (d) about the effect of failure to give a notice, or
 - (e) requiring a notice to be accompanied by other information.
- (4) The power conferred by subsection (1) may not be exercised after the end of the period of 3 years beginning with the day on which that subsection comes into force.
- (5) Before making a modification under subsection (1), the Secretary of State must consult—
- (a) the holder of any licence being modified,
 - (b) the Authority, and
 - (c) such other persons as the Secretary of State thinks it is appropriate to consult.
- (6) In this section a “unilateral variation term” means a term in a contract for domestic supply under which a licence holder is permitted to change a term of the contract or a price charged for energy supplied under it, without the agreement of the customer to the particular changes.
- (7) For the purposes of subsection (2), agreement by a customer under a contract for domestic supply to a unilateral variation term (whether by entering into the contract or otherwise) is not to be taken to constitute agreement to any particular changes made by virtue of the term.
- (8) In this section—
- “a contract for domestic supply” means a contract for the supply of energy by a licence holder to a customer at domestic premises wholly or mainly for domestic purposes;
 - “energy”—
- (a) in relation to the holder of a licence under section 7A(1) of the Gas Act 1986, means gas;
 - (b) in relation to the holder of a licence under section 6(1)(d) of the Electricity Act 1989, means electricity.