
DRAFT STATUTORY INSTRUMENTS

2023 No.

The Electricity and Gas (Energy
Company Obligation) Order 2023

PART 6

Notification of Completed Measures

Notification requirements for completed measures

- 25.** A measure is notified to the Administrator in accordance with this article if the notification—
- (a) is made, in writing, by the participant that promoted the measure;
 - (b) is made after the measure is completed;
 - (c) is made on time within the meaning of article 26;
 - (d) indicates that the notification is made under this article;
 - (e) is not withdrawn by a notification made under article 28; and
 - (f) includes such other information relating to the measure as the Administrator may require.

Deadline for notification of completed measures

- 26.—**(1) For the purposes of article 25, a notification of a measure is made on time if it is made—
- (a) on or before the original deadline, which is—
 - (i) in the case of a measure completed in 2023, 31st January 2024;
 - (ii) in the case of a measure completed after 2023, the end of the first month following the month in which the measure is completed;
 - (b) following an application under article 27(1) which is approved by the Administrator, on or before the date determined by the Administrator under article 27(5)(a); or
 - (c) in the case of a measure falling within the 5% notification threshold for the participant (“the notifying participant”), before—
 - (i) the end of the third month after the original deadline, if the original deadline is before 1st April 2026; or
 - (ii) the end of June 2026, if the original deadline is after 31st March 2026.
- (2) For the purposes of paragraph (1)(c), a measure falls within the 5% notification threshold for the notifying participant if—
- (a) the measure is notified to the Administrator after the original deadline; and
 - (b) at the time the measure is notified, the result of the following formula is less than or equal to 0.05—
$$(F - G) / H.$$
- (3) In paragraph (2)—

“F” is the number of measures (also counting the measure being notified) which—

- (a) have the same original deadline as the measure being notified; and
- (b) are notified after the original deadline by—
 - (i) the notifying participant; or
 - (ii) any other participant that is a member of the same group as the notifying participant;

“G” is the number of measures which—

- (a) have the same original deadline as the measure being notified;
- (b) are the subject of an application under article 27(1) which is approved by the Administrator; and
- (c) are notified, after the original deadline and on or before the date determined by the Administrator under article 27(5)(a), by—
 - (i) the notifying participant; or
 - (ii) any other participant that is a member of the same group as the notifying participant;

“H” is the greater of 1 and the number of measures which—

- (a) have the same original deadline as the measure being notified; and
- (b) are notified on or before the original deadline by—
 - (i) the notifying participant; or
 - (ii) any other participant that is a member of the same group as the notifying participant.

(4) In this article, “original deadline” has the meaning given in paragraph (1)(a).

Applications for extension of time to notify

27.—(1) A participant may apply on or before 31st May 2026 to the Administrator in writing for a measure to be notified after the original deadline.

(2) An application under paragraph (1) must include—

- (a) details of why the participant is seeking an extension of time to notify the measure; and
- (b) such other information relating to the measure as the Administrator may require.

(3) The Administrator must reject the application if—

- (a) the requirements in paragraph (2) are not met; or
- (b) it is not satisfied that the participant has a reasonable excuse for seeking an extension of time to notify the measure.

(4) If the Administrator rejects the application, it must in writing notify the participant of the reasons for that decision.

(5) If the Administrator approves the application, it must—

- (a) determine a date for the notification of the measure (“the new deadline”); and
- (b) notify the participant in writing—
 - (i) of the new deadline; and
 - (ii) of the reasons for the date determined as the new deadline.

(6) The date determined by the Administrator under paragraph (5)(a) must—

- (a) be a date falling after the original deadline and before 1st July 2026; and
- (b) be determined having regard to—

(i) the reasons why the participant is seeking an extension of time to notify the measure;
and

(ii) any guidance published by the Administrator under this article.

(7) Before the end of the 6 week period beginning with the commencement date, the Administrator must publish, on its website, guidance on how it will exercise its functions under this article.

(8) The Administrator may revise any guidance published under this article by publishing the revised guidance on its website.

(9) In this article, “original deadline” has the meaning given in article 26(1)(a).

Withdrawal of notifications

28.—(1) A participant may withdraw a notification made under article 25 by notifying the Administrator in writing.

(2) A notification under paragraph (1) must—

- (a) be made by the participant that promoted the measure;
- (b) be made on or before 30th June 2026; and
- (c) include such information relating to the measure as the Administrator may require.