



# Domestic Gas and Electricity (Tariff Cap) Act 2018

## 2018 CHAPTER 21

### *Procedure*

#### **4 Notice of proposed modifications**

- (1) Before making any modifications under section 1, the Authority must take the following steps.
- (2) The Authority must give notice—
  - (a) stating that it proposes to make the modifications,
  - (b) setting out the proposed modifications and their effect, and
  - (c) specifying the period within which representations with respect to the proposed modifications may be made.
- (3) That period must be a period of not less than 28 days beginning with the day on which the notice is published.
- (4) The notice must be published in such manner as the Authority considers appropriate for the purpose of bringing it to the attention of persons likely to be affected by the proposed modifications, and a copy of the notice must be sent to—
  - (a) each holder of a supply licence,
  - (b) the Secretary of State,
  - (c) Citizens Advice, and
  - (d) [<sup>F1</sup>Consumer Scotland].
- (5) The Authority must consider any representations which are made before the end of the period specified in the notice.
- (6) Steps taken before this Act is passed are as effective for the purposes of this section as steps taken after it is passed.

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*Changes to legislation: There are currently no known outstanding effects for the Domestic Gas and Electricity (Tariff Cap) Act 2018, Cross Heading: Procedure. (See end of Document for details)*

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### Textual Amendments

- F1** Words in s. 4(4)(d) substituted (13.1.2022) by [The Consumer Scotland Act 2020 \(Consequential Provisions and Modifications\) Order 2022 \(S.I. 2022/34\)](#), art. 1(1), **Sch. para. 10(2)** (with art. 5)

## 5 Publication and effect of modifications

- (1) This section applies if, after taking the steps described in section 4, the Authority decides to make the modifications.
- (2) The Authority must—
  - (a) publish the modifications in such manner as it considers appropriate for the purpose of bringing them to the attention of persons likely to be affected by them,
  - (b) state the effect of the modifications,
  - (c) state how it has taken account of any representations made in the period specified in the notice mentioned in section 4, and
  - (d) state the reason for any differences between the modifications and those set out in the notice.
- (3) Each modification has effect from the day specified by the Authority in relation to it.
- (4) That day must be after the end of the period of [<sup>F2</sup>25 working days] beginning with the day on which the modification is published.
- [<sup>F3</sup>(5) In subsection (4), “working day” means a day other than—
  - (a) Saturday or Sunday,
  - (b) Christmas Day or Good Friday, or
  - (c) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.]

### Textual Amendments

- F2** Words in s. 5(4) substituted (25.10.2022) by [Energy Prices Act 2022 \(c. 44\)](#), s. 30(6), **Sch. 3 para. 3(2)** (with s. 29)
- F3** [S. 5\(5\)](#) inserted (25.10.2022) by [Energy Prices Act 2022 \(c. 44\)](#), s. 30(6), **Sch. 3 para. 3(3)** (with s. 29)

**Changes to legislation:**

There are currently no known outstanding effects for the Domestic Gas and Electricity (Tariff Cap) Act 2018, Cross Heading: Procedure.