

---

STATUTORY INSTRUMENTS

---

**2010 No. 698**

**The Electricity (Standards of Performance) Regulations 2010**

**PART VI**

**Common obligations**

**Payments**

**21.**—(1) Paragraph (4) applies where an electricity distributor is obliged under any of regulations 5 to 9 (inclusive) and 14 to make a payment to a customer whose premises are directly connected to the distribution system of another electricity distributor.

(2) Paragraph (5) applies—

- (a) where an electricity distributor is obliged to make a payment to a customer whose premises are directly connected to its distribution system under any of regulations 5 to 9 (inclusive), 11 to 15 (inclusive), and 19; or
- (b) where an electricity distributor receives a payment from another electricity distributor for onward transmission to a customer whose premises are directly connected to its network.

(3) Paragraph (6) applies—

- (a) where a relevant supplier or electricity supplier is obliged to make a payment to a customer under any of regulations 16 to 19 (inclusive); or
- (b) where an electricity supplier receives a payment from an electricity distributor for onward transmission to the electricity supplier's customer.

(4) Where this paragraph applies and the distributor fails to make the payment to the customer or to the other distributor for onward transmission to the customer of the sum to which he is entitled, in either case as soon as is reasonably practicable in relation to regulation 7 and within the prescribed period from the applicable date in relation to any other regulations, the distributor shall, except in any of the circumstances described in paragraph (7), pay the prescribed sum to the customer or that other distributor for onward transmission to the customer.

(5) Where this paragraph applies and the distributor fails to make the payment to the customer or the customer's electricity supplier for onward transmission to the customer of the sum to which he is entitled, in either case as soon as is reasonably practicable in relation to regulation 7 and within the prescribed period from the applicable date in relation to any other regulation, the distributor shall, except in any of the circumstances described in paragraph (7), pay the prescribed sum to the customer.

(6) Where this paragraph applies and the supplier fails within the prescribed period from the applicable date to make the payment to the customer of the sum to which he is entitled, the supplier shall, except in any of the circumstances described in paragraph (7), pay the prescribed sum to the customer.

(7) The circumstances described in this paragraph are—

- (a) each of the circumstances described in regulation 22; and

- (b) that there is a genuine dispute between the relevant operator and the customer as to whether the relevant operator is obliged to make the payment.
- (8) Where a relevant operator is required to make a payment under these Regulations–
- (a) in relation to any premises at which more than one person is a customer, a payment to any one or more of the customers in respect of those premises shall be a complete discharge of the obligation of the relevant operator to make the payment to all the customers of those premises;
  - (b) nothing in, or done by a relevant operator in consequence of, these Regulations shall determine who is beneficially entitled to any payment made in pursuance of these Regulations; and
  - (c) nothing in these Regulations shall permit a relevant operator to make a payment other than by means of–
    - (i) a cheque or cash; or
    - (ii) a credit to the account of the customer for charges incurred or to be incurred in respect of the supply or the provision of any electricity meter, electric line, or electrical plant.
- (9) Where all or part of the prescribed sum is paid by an electricity distributor to a customer under these Regulations, such a payment shall not prejudice that distributor from recovering that payment (or part of that payment) from another electricity distributor where that other distributor is found to be wholly or partly responsible for the liability arising under these Regulations.