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STATUTORY INSTRUMENTS

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**2014 No. 2014**

**The Contracts for Difference (Electricity  
Supplier Obligations) Regulations 2014**

**PART 4**

Miscellaneous

CHAPTER 9

Enforcement and disputes

**Enforcement of requirements**

**25.**—(1) Any requirement of an electricity supplier under these Regulations is enforceable by the Authority as if any such requirement was a relevant requirement on a regulated person for the purposes of section 25 of the Electricity Act 1989 <sup>M1</sup>.

(2) Where the CFD counterparty determines that an electricity supplier has not complied with any requirement to pay an amount required under these Regulations it may issue a notice to that supplier setting out—

- (a) the amount which the CFD counterparty determines that supplier should have paid;
- (b) the basis on which the CFD counterparty determined the amount;
- (c) the date on which the amount should have been paid; <sup>F1</sup>and]
- (d) the rate, if any, of interest which applies to the amount. <sup>F2</sup>...

<sup>F3</sup>(e) .....

<sup>F4</sup>(3) Where the CFD counterparty determines that an electricity supplier has not complied with a requirement to ensure that the CFD counterparty holds sufficient collateral under regulation 19(2) it may issue a notice to that supplier which specifies the amount of collateral which the supplier would have to provide to meet that supplier's collateral requirement for the day on which the notice is issued.]

(4) Where the CFD counterparty has issued a notice to a supplier under paragraph (3) that supplier is required to pay the amount specified in the notice to the CFD counterparty in cash by the next working day after the notice has been issued.

<sup>F5</sup>(5) .....

(6) Where an electricity supplier makes a payment under paragraph (4) the amount of that payment constitutes collateral held by the CFD counterparty for the purposes of regulation 19.

(7) Where the CFD counterparty issues a notice to a supplier under paragraph (2) or (3)—

- (a) it must also provide a copy of that notice to the Authority; and
- (b) it may publish a copy of that notice, or a summary of that notice.

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**Changes to legislation:** There are currently no known outstanding effects for the The Contracts for Difference (Electricity Supplier Obligations) Regulations 2014, Section 25. (See end of Document for details)

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- F1** Word in reg. 25(2)(c) inserted (1.4.2016) by The Electricity Supplier Payments (Amendment) Regulations 2016 (S.I. 2016/363), regs. 1(3), **17(2)(a)**
- F2** Word in reg. 25(2)(d) omitted (1.4.2016) by virtue of The Electricity Supplier Payments (Amendment) Regulations 2016 (S.I. 2016/363), regs. 1(3), **17(2)(b)**
- F3** Reg. 25(2)(e) omitted (1.4.2016) by virtue of The Electricity Supplier Payments (Amendment) Regulations 2016 (S.I. 2016/363), regs. 1(3), **17(2)(c)**
- F4** Reg. 25(3) substituted (1.4.2015) by The Electricity Supplier Obligations (Amendment & Excluded Electricity) Regulations 2015 (S.I. 2015/721), regs. 1(2), **30(2)**
- F5** Reg. 25(5) omitted (1.4.2015) by virtue of The Electricity Supplier Obligations (Amendment & Excluded Electricity) Regulations 2015 (S.I. 2015/721), regs. 1(2), **30(3)**

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**Marginal Citations**

- M1** 1989 c.29. The definitions of “regulated person” and “relevant requirement” in section 25(8) of EA 1989 were amended by S.I. 2011/2704. Other amendments to section 25 of EA 1989 were made by section 54(3) of, and Schedule 10 to, the Competition Act 1998 (c.41); sections 3(2), 60 and 108 of, and Schedule 6 to, the Utilities Act 2000 (c.27); section 63(1) of, and Schedule 7 to, the Consumers, Estate Agents and Redress Act 2007 (c.17); section 51(5) of, and Schedule 14 to, the Enterprise and Regulatory Reform Act 2013 (c.24); and S.I. 2011/2704.

**Changes to legislation:**

There are currently no known outstanding effects for the The Contracts for Difference (Electricity Supplier Obligations) Regulations 2014, Section 25.