Draft Regulation laid before the Assembly under sections 11(6) and 26(4) of, and paragraph 4(5) of Schedule 5 to, the Energy Prices Act 2022, for approval.

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2026 No.

ENERGY

The Energy Bill Relief Scheme and Energy Bills Discount Scheme (Amendment) Regulations (Northern Ireland) 2026

Made - - - -	*2026*
Coming into force	*2026*

The Department for the Economy makes these regulations, in exercise of the powers conferred by sections 11(1) to (4), as read with paragraph 1(2)(a) of Schedule 5, 26(2) and 27(2) of, and Schedule 2 to, the Energy Prices Act 2022(**a**). In accordance with sections 11(6) and 26(4) of, and paragraph 4(5) of Schedule 5 to, that Act, a draft of these regulations was laid before and approved by a resolution of the Assembly.

PART 1

Introductory

Citation, commencement, interpretation and extent

1.—(1) The Interpretation Act (Northern Ireland) 1954 applies to these regulations as it applies to an Act of the Assembly.

(2) These Regulations may be cited as the Energy Bill Relief Scheme and Energy Bills Discount Scheme (Amendment) Regulations (Northern Ireland) 2026 and come into operation 21 days after the day on which they are made.

(3) These Regulations extend to Northern Ireland.

PART 2

Amendment of the Energy Bill Relief Scheme (Northern Ireland) Regulations 2022

2. The Energy Bill Relief Scheme (Northern Ireland) Regulations 2022(**b**) are amended as follows.

(**a**) 2022 c. 44
(**b**) S.I. 2022/1106 to which there are amendments not relevant to these Regulations

Amendment to regulation 19 (duty of suppliers to provide the discount)

3. In regulation 19, after paragraph (3) insert—

"(3A) Subject to the exceptions in paragraph (3B), the duties in paragraphs (1) and (3) (the "discount duties") do not apply to a supplier on and after the date (the "discount duties end date") which is the later of—

(a) the reconciliation run-off date in respect of that supplier, or

(b) the date the Energy Bill Relief Scheme and Energy Bills Discount Scheme (Amendment) Regulations (Northern Ireland) 2026 come into operation.

(3B) The discount duties continue to apply to a supplier on and after the discount duties end date in relation to energy—

(a) in respect of which the supplier has billed the customer before the discount duties end date,

(b) supplied in a billing period in respect of which the supplier has not billed the customer before the discount duties end date, or

(c) in respect of which unreasonable delay or other failure by the supplier has led to it not billing the customer for the energy accurately or at all before the discount duties end date."

Amendment to regulation 39 (adjustment of discount in relation to arrangements which alter a customer's exposure to the wholesale price)

4. In Regulation 39, after paragraph (1)(d) insert –

"(e) on and after the discount duties end date for a supplier, sub-paragraph (d) is to be read in relation to that supplier as though the words "in relation to a variable price contract" were omitted;

(f) sub-paragraph (e) does not apply to a supplier in relation to energy—

(i) in respect of which the supplier has billed the customer before the discount duties end date,

(ii) supplied in a billing period in respect of which the supplier has not billed the customer before the discount duties end date, or

(iii) in respect of which an unreasonable delay or other failure by the supplier has led to it not billing the customer for the energy accurately or at all before the discount duties end date;

(g) in sub-paragraphs (e) and (f), "discount duties end date" has the same meaning as in regulation 19(3A)."

Amendment to Regulation 68 (referrals in respect of disagreement between contract parties)

5. In regulation 68 –

(a) at the beginning of paragraph (3) insert

"Subject to the exception in paragraph (3A),"

(b) after paragraph (3) insert—

"(3A) Where the disagreement is not resolved and the matter concerns a determination made by the supplier under or by virtue of regulations 19(3A) and (3B) or 39(1)(e) and (f)—

(a) paragraph (3) does not apply, and

(b) the supplier's determination remains effective."

PART 3

Amendment of the Energy Bills Discount Scheme (Northern Ireland) Regulations 2023

6. The Energy Bills Discount Scheme (Northern Ireland) Regulations 2023(**a**) are amended as follows.

Amendment to regulation 30 (duty of suppliers to provide the discount)

7. In Regulation 30, after paragraph (3) insert—

"(3A) Subject to the exceptions in paragraph (3B), the duties in paragraphs (1) and (3) (the "discount duties") do not apply to a supplier on and after the date (the "discount duties end date") which is the later of—

(a) the reconciliation run-off date in respect of that supplier, or

(b) the date the Energy Bill Relief Scheme and Energy Bills Discount Scheme (Amendment) Regulations (Northern Ireland) 2026 come into force.

(3B) The discount duties continue to apply to a supplier on and after the discount duties end date in relation to energy—

(a) in respect of which the supplier has billed the customer before the discount duties end date,

(b) supplied in a billing period in respect of which the supplier has not billed the customer before the discount duties end date, or

(c) in respect of which unreasonable delay or other failure by the supplier has led to it not billing the customer for the energy accurately or at all before the discount duties end date."

Amendment to regulation 49 (adjustment of discount in relation to arrangements which alter a customer's exposure to the wholesale price)

8. In regulation 49, after paragraph (1)(d) insert—

"(e) on and after the discount duties end date for a supplier, sub-paragraph (d) is to be read in relation to that supplier as though the words "in relation to a variable price contract" were omitted;

(f) sub-paragraph (e) does not apply to a supplier in relation to energy—

(i) in respect of which the supplier has billed the customer before the discount duties end date,

(ii) supplied in a billing period in respect of which the supplier has not billed the customer before the discount duties end date, or

(iii) in respect of which unreasonable delay or other failure by the supplier has led to it not billing the customer for the energy accurately or at all before the discount duties end date;

(g) in sub-paragraphs (e) and (f), "discount duties end date" has the same meaning as in regulation 30(3A)."

Amendment to regulation 73 (referrals in respect of disagreement between contract parties)

9. In regulation 73—

(a) at the beginning of paragraph (3) insert

"Subject to the exception in paragraph(3A),"

(**a**) S.I. 2023/454, to which there are amendments not relevant to these Regulations.

(b) after paragraph (3) insert—

"(3A) Where the disagreement is not resolved and the matter concerns a determination made by the supplier under or by virtue of regulations 30(3A) and (3B) or 49(1)(e) and (f)—

(a) paragraph (3) does not apply, and

(b) the supplier's determination remains effective."

Sealed with the Official Seal of the *** on ***

Minister

Date Department for the Economy

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Energy Bill Relief Scheme (Northern Ireland) Regulations 2022 (S.I. 2022/1106 NI) (the "EBRS NI Regulations") and the Energy Bills Discount Scheme (Northern Ireland) Regulations 2023 (S.I. 2023/454 NI) (the "EBDS NI Regulations"). The amendments achieve the same effects in relation to both Regulations.

Both the EBRS NI Regulations and the EBDS NI Regulations provide for a date ("the reconciliation run-off date") to be determined in respect of an energy supplier after which the discount recovery provisions no longer apply. These amending Regulations provide that after the later of the reconciliation run-off date or the date these Regulations come into force, an energy supplier is no longer generally under duties to provide discount to customers (regulation 3 in relation to the EBRS NI Regulations, regulation 7 in relation to the EBDS NI Regulations). However these discount duties continue to apply in relation to energy: (1) that was billed previously when the discount duties applied; (2) that was supplied in a billing period that the supplier has not issued a bill for before the discount duties ended; or (3) in respect of which unreasonable delay or other failure by the supplier has led to it not billing the customer for the energy accurately or at all before the discount duties ended.

The duty to discount is also similarly removed from a supplier where the customer has entered into arrangements which increased its exposure to wholesale energy prices (regulations 4 and 8 respectively). Again the duty continues to apply in certain specified cases, the same as those provided in regulations 3 and 7.

Where a customer disagrees with certain determinations made by a supplier, the customer or supplier may refer the matter to the Secretary of State for determination. However any matter which the supplier is required to determine as a result of the changes made by these Regulations is not referable to the Secretary of State (regulations 5 and 9 respectively).

A de minimis impact assessment of the effect that this instrument will have is available from the Department for Energy Security and Net Zero, 3-8 Whitehall Place, London, SW1A 2HH.

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