STATUTORY INSTRUMENTS

2024 No. 954

CONSUMER PROTECTION

ELECTRICITY

GAS

The Gas and Electricity Regulated Providers (Redress Scheme) (Amendment) Order 2024

Made - - - - at 3:00 p.m. on 12th September 2024

Laid before Parliament at 4:15 p.m. on 12th September 2024

Coming into force - - 19th December 2024

The Secretary of State makes this Order in exercise of the powers conferred by section 47(1) to (3) of the Consumers, Estate Agents and Redress Act 2007(**a**).

In accordance with section 47(4) of that Act, the Secretary of State has consulted the Gas and Electricity Markets Authority(**b**) and other persons appearing to the Secretary of State to be representative of persons who have an interest in the Order.

In accordance with section 47(7) of that Act, the Secretary of State is satisfied, in relation to each regulated provider to which this Order will apply, that when this Order comes into force there will be at least one qualifying redress scheme which the provider is eligible to join and membership of which will satisfy the requirements imposed by the Order.

Citation, commencement and extent

1.—(1) This Order may be cited as the Gas and Electricity Regulated Providers (Redress Scheme) (Amendment) Order 2024 and comes into force on 19th December 2024.

(2) This Order extends to England and Wales and Scotland.

Amendment of the Gas and Electricity Regulated Providers (Redress Scheme) Order 2008

2. In the Gas and Electricity Regulated Providers (Redress Scheme) Order 2008, in article 2 (interpretation)(**c**)—

(**a**) 2007 c. 17.
(**b**) The Gas and Electricity Markets Authority was established under section 1(1) of, and Schedule 1 to, the Utilities Act 2000 (c. 27).
(**c**) S.I. 2008/2268, amended by S.I. 2014/2378.

(a) in paragraph (1)—

(i) in the definition of "consumer complaint", after "relevant consumer", in each place it occurs, insert "or a small business consumer";

(ii) in the definition of "regulated provider", after "relevant consumer", insert "or a small business consumer";

(iii) in the definition of "relevant consumer", in paragraph (b), in sub-paragraph (ii), in paragraph (bb), for "Euros 2 million" substitute "£2 million";

(iv) in the appropriate place, insert—

""small business consumer" means a consumer who is not a relevant consumer and who is a person supplied or requiring to be supplied with gas or electricity at a premises other than domestic premises—

(a) with an annual consumption of—

(i) electricity of not more than 200,000 kWh, or

(ii) gas of not more than 500,000 kWh, or

(b) with—

(i) fewer than 50 employees (or their full time equivalent), and

(ii) an annual turnover not exceeding £6.5 million or a balance sheet total not exceeding £5 million.";

(b) for paragraph (2), substitute—

"(2) For the purposes of this order, where a person who is—

(a) a relevant consumer under paragraph (b)(i) of the definition of "relevant consumer", or

(b) a small business consumer under paragraph (a) of the definition of "small business consumer",

receives gas and electricity supplied by the same regulated provider, the annual consumption of gas and electricity for the consumer shall be treated separately for the purpose of determining their capacity as a relevant consumer or small business consumer to make a consumer complaint in respect of gas or electricity supply as the case may be.".

Miatta Fahnbulleh
Parliamentary Under-Secretary of State for Energy Consumers
Department for Energy Security and Net Zero

At 3.00 p.m. on 12th September 2024

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Gas and Electricity Regulated Providers (Redress Scheme) Order 2008 (S.I. 2008/2268) ("the 2008 Order"). It inserts a new definition of "small business consumer". It also extends the definition of "consumer complaint" to include relevant complaints brought by such consumers.

The effect of these amendments is that "small business consumers" are eligible in the same way as domestic consumers and micro businesses to utilise a redress scheme, that regulated electricity and gas providers are obliged by the 2008 Order to join, in respect of certain kinds of consumer complaints. Larger business consumers are not so eligible and are expected to resolve disputes about electricity and gas supply themselves or through the courts.

The new small business consumer definition applies to non-domestic consumers who consume more electricity or gas annually than micro business consumers, up to thresholds of 200,000 kWh for electricity 500,000 kWh for gas. It also applies to non-domestic consumers with both more employees than micro business consumers (but fewer than 50 or their equivalent) and either greater annual turnover or balance sheet total, up to thresholds of £6.5 million and £5 million respectively.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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