

---

**Annex A – The draft amendments Statutory Instrument**

**Draft amendments for the Electricity (Standards of Performance) Regulations 2015 (S.I. 2015/699) and the Electricity (Connection Standards of Performance) Regulations 2015 (S.I. 2015/698)**

STATUTORY INSTRUMENTS

---

2023 No. 0000

**ELECTRICITY**

The Electricity (Standards of Performance) (Amendment)  
Regulations 2023

*Made* - - - - - \*\*\*  
*Coming into force* - - - - - []

The Gas and Electricity Markets Authority(a) (the “Authority”), in exercise of the powers conferred by sections 39, 39A, 39B, 42A and 60 of the Electricity Act 1989(b), makes the following Regulations.

In accordance with section 40B(1) of the Act(c), the Authority arranged for such research as it considered appropriate with a view to discovering the views of a representative sample of persons likely to be affected and considered the results.

In accordance with section 40B(2) of the Act, the Authority published a notice of its proposals and considered the representations made in respect of those proposals.

In accordance with section 40B(1)(c) and (4) of the Act, the Authority consulted Citizens Advice, Consumer Scotland, electricity distributors, electricity suppliers, and persons and bodies appearing to be representative of persons likely to be affected by these Regulations.

The Secretary of State has consented to making these Regulations in accordance with sections 39(1), 39A(1) and 39B(3) and (5) of the Act.

**Citation, commencement and interpretation**

1.— These Regulations may be cited as the Electricity (Standards of Performance) (Amendment) Regulations 2023 and come into force on [].

(1) In these Regulations, the “Principal Regulations” means the Electricity (Standards of Performance) Regulations 2015.

(2) In these Regulations, the “Connection Regulations” means the Electricity (Connection Standards of Performance) Regulations 2015.

---

(a) The Gas and Electricity Markets Authority was established under section 1(1) of the Utilities Act 2000 (c.27).  
(b) 1986 c.44; section 33AA was inserted by section 90(2) of the Utilities Act 2000; and section 47 was amended by Schedule 2 to the Offshore Safety Act 1992 (c.15), paragraph 9 of Schedule 1 to the Competition and Service (Utilities) Act 1992 (c.43), paragraph 53 of Schedule 3 to the Gas Act 1995 (c.45) and sections 3(2) and 100 of the Utilities Act 2000.  
(c) Section 40B was inserted by section 56 of the Utilities Act 2000 (c.27) and amended by paragraph 5 of Schedule 1 to the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading’s Functions in relation to Estate Agents etc) Order (S.I. 2014/631).

---

**Amendments to the Electricity (Standards of Performance) Regulations 2015**

2.— The Electricity (Standards of Performance) Regulations 2015(a) are amended as follows

(1) In paragraph (1) of regulation 3 (Interpretation)—

- (a) substitute “the Scottish Association of Citizens Advice Bureaux” with “Consumer Scotland” in the definition “consumer advocacy body”,
- (b) after “where the customer is a non-domestic customer the amount in column 4 of Part 1 of Schedule 2,” insert “or such other sum calculated in accordance with regulation 21A, in any of the aforementioned” in the definition of “prescribed sum”, and
- (c) after the definition of “prescribed sum” insert the following—

“prescribed cap” means the amount in column 4 of Part 1A of Schedule 2, or such other amount as adjusted by virtue of regulation 21A, opposite the reference to that paragraph of the regulation in column 1 of Part 1A of that Schedule;”.

(2) In regulation 4 (Supply Restoration Standards of Performance for Electricity Distributors)—

- (a) omit the definitions “category 3 severe weather conditions”, “category 3 threshold number of customers”, “total number of customers interrupted” and “upper threshold of customers” in paragraph (1), and
- (b) in paragraph (2)—
  - (i) after “who is not a designated electricity distributor” omit “— (a)”,
  - (ii) after “relevant electricity distributor operates” omit “; and”, and
  - (iii) omit sub-paragraph (2)(b)

(3) In sub-paragraph 3(b) of regulation 5 ((Supply restoration: normal conditions) after “1” insert “or,”, and after “2” omit “or 3”.

(4) In sub-paragraph (2)(b) of regulation 6 (Supply restoration: normal conditions – 5,000 or more customers’ premises interrupted) substitute “a maximum of £300” with “the prescribed cap”.

(5) In regulation 7 (supply restoration: severe weather conditions) –

- (a) omit paragraphs (3), (6) and (7),
- (b) in sub-paragraph (3)(b) (as renumbered)—
  - (i) substitute “12” with “6”, and
  - (ii) substitute “700” with “prescribed cap”.
- (c) in sub-paragraph 4(b) (as renumbered)

---

(a) S.I. 2015/699, as amended by S.I. 2015/1544.

- (i) substitute “12” with “6”, and
  - (ii) substitute “a maximum of £700” with “the prescribed cap”.
- (6) In regulation 9 (Exemptions from the normal and severe weather restoration standards)—
- (a) after “regulation 5(1), 6(1), 7(1), 7(2)” in paragraph (4)(a) omit “, 7(3)”, and
  - (b) after “regulation 5(1), 6(1), 7(1), 7(2)” in paragraph (4)(b) omit “, 7(3)”, and
  - (c) In sub-paragraph (12)(c)—
    - after “paragraphs (4)(a)” substitute “,” with “and” and omit “and (6)(a)”, and
    - after “paragraphs (4)(b)” substitute “,” with “and” and omit “and (6)(b)”, and
- (7) In regulation 19 (Payments)—
- (a) after “cash;” omit “or” in in sub-paragraph (8)(c)(i)
  - (b) after “or electrical plant” insert “;or” in sub-paragraph (8)(c)(ii), and
  - (c) insert a new sub paragraph “(iii) bank transfer”.
- (8) After regulation 21 insert the following—

**“Indexation of prescribed caps and prescribed sums**

**21A.**—(1) The prescribed sums for each financial year beginning with 1 April 2024 are calculated by—

- (a) adjusting the sums specified in columns 3 and 4 of Part 1 of Schedule 2 by the percentage increase or decrease in the CPIH index published for the month of January preceding the financial year for which the adjustment is made in comparison to the CPIH index published for the month of January 2023; and
- (b) rounding the resulting figure to the nearest £5.

(2) In the calculation of prescribed caps for each financial year beginning with 1 April 2024, the sums in column 2 of Part 1A of Schedule 2 are adjusted by—

- (a) the percentage increase or decrease in the CPIH index published for the month of January preceding the financial year for which the adjustment is made in comparison to the CPIH index published for the month of January 2023; and
- (b) rounding the resulting figure to the nearest £5.

(3) In this regulation, “CPIH” means the consumer prices index including owner occupiers’ housing costs (all items) published by the Office for National Statistics.”

## Annex A – The draft amendments Statutory Instrument

---

(9) For the table in Part 1 of Schedule 2 substitute the following table—

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Prescribed period</i>	<i>(3)</i> <i>Prescribed sum</i> <i>domestic customers</i> <i>(£)</i>	<i>(4)</i> <i>Prescribed sum</i> <i>non-domestic</i> <i>customers (£)</i>
5(2)(a)	12 hours	95	190
5(2)(b)	(12 hours)	45	45
6(2)(a)	24 hours	95	190
6(2)(b)	(12 hours)	45	45
7(4)(a)	24 hours	90	90
7(4)(b)	(6 hours)	45	45
7(5)(a)	48 hours	90	90
7(5)(b)	(6 hours)	45	45
8(2)	24 hours	95	190
10(4)	(a relevant year)	95	95
11(3)	3 hours on a working day, four hours on any other day	40	40
12(4)	2 days	40	75
12(5)	5 days	40	75
12(6)	2 days	40	75
13(2)	7 working days	40	40
13(4)(a)	NA	40	40
13(4)(b)	5 working days	40	40
17(3)(b)	NA	40	40
17(4)(b)	NA	40	40
19(4)	10 working days	40	40
19(5)	10 working days	40	40

(10) After Part 1 in Schedule 2 insert—

**“PART 1A**  
**Prescribed caps applicable to all electricity distributors**

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Sum</i>	<i>(3)</i> <i>Multiplier</i>	<i>(4)</i> <i>Prescribed Cap</i>
6(2)(b)	95	4	£380
7(4)(b)	90	25	£2250
7(5)(b)	90	25	£2250

(11) For the table in Part 3 of Schedule 2 substitute the following table—

<i>“(1)</i> <i>Designated electricity distributor</i>	<i>(2)</i> <i>Eight times the mean daily faults at distribution higher voltage</i>	<i>(3)</i> <i>Thirteen times the mean daily faults higher voltage</i>
ENWL	57	93
NPGN	37	60
NPGY	42	68
WMID	68	111
EMID	54	88
SWALES	43	70
SWEST	71	115
LPN	17	27
SPN	66	107
EPN	93	151
SPD	72	116
SPMW	66	108
SSEH	67	109
SSES	78	127

**Amendment to The Electricity (Connection Standards of Performance) Regulations 2015**

3.— The Electricity (Connection Standards of Performance) Regulations 2015(a) are amended as follows.

- (1) In the definition of “prescribed sum” in regulation 2 (1) (Interpretation), after “Schedule 1” insert “, or such other sum calculated in accordance with regulation 17A,”.
- (2) In sub-paragraph (4) (a) of regulation 16 (Extensions of time)—
  - (a) after categories 1” omit substitute “,” with “ and”. and
  - (b) after “2” omit “or 3”.
- (3) After regulation 17 (Timing of notification) insert the following—

**“Indexation of prescribed sums**

**17A.**—(1)The prescribed sums for each financial year beginning with 1 April 2024 are calculated by –

- (a) adjusting the sums specified in column 3 of Schedule 1 by the percentage increase or decrease in the CPIH index published for the month of January preceding the financial year for which the adjustment is made in comparison to the CPIH index published for the month of January 2023; and
- (b) rounding the resulting figure to the nearest £5.

(2) In this regulation, “CPIH” means the consumer prices index including owner occupiers’ housing costs (all items) published by the Office for National Statistics”

For the table in Part 1 of Schedule 2 substitute the following table—

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Prescribed period</i>	<i>(3)</i> <i>Prescribed sum</i> <i>domestic customers</i>	<i>(4)</i> <i>Payment Date</i>
4(2)	10 working days	£80	the working day on which the budget estimate should have been dispatched
4(3)	20 working days	£80	the working day on which the budget estimate should have been dispatched

---

(a) S.I. 2015/698, as amended by S.I. 2015/1544.

---

## Annex A – The draft amendments Statutory Instrument

---

5(2)	5 working days	£20 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched	the working day on which the quotation is dispatched
5(3)	15 working days	£20 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched	the working day on which the quotation is dispatched
6(2)	25 working days	£80 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched	the working day on which the quotation is dispatched
6(3)	35 working days	£170 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched	the working day on which the quotation is dispatched
6(4)	65 working days	£250 for each working day after the end of the prescribed period up to and including the day on which the quotation is dispatched	the working day on which the quotation is dispatched
7(3)	not applicable	£420	the working day on which the quotation is found, in accordance with the quotation accuracy scheme, to have been inaccurate or incomplete
7(4)	not applicable	£840	the working day on which the quotation is found, in accordance with the quotation accuracy scheme, to have been inaccurate or incomplete
8(2)	7 working days	£20 for each working day after the end of the prescribed period up to and including the day	the working day on which contact occurs



		on which contact occurs	
8(3)	the agreed date	£45 for each working day after the agreed date up to and including the day on which the works are completed	the working day on which the works are completed
9(2)	7 working days	£80 for each working day after the end of the prescribed period up to and including the day on which contact occurs	the working day on which contact occurs
9(3)	10 working days	£170 for each working day after the end of the prescribed period up to and including the day on which contact occurs	the working day on which contact occurs
9(4)	15 working days	£250 for each working day after the end of the prescribed period up to and including the day on which contact occurs	the working day on which contact occurs
9(5)	the agreed date	£30 for each working day after the agreed date up to and including the day on which the works at the premises are commenced	the working day on which the works at the premises are commenced
9(6)	the agreed date	£170 for each working day after the agreed date up to and including the day on which the works are completed	the working day on which the works are completed
9(7)	the agreed date	£250 for each working day after the agreed date up to and including the day on which the works are completed	the working day on which the works are completed

## Annex A – The draft amendments Statutory Instrument

---

9(8)	the agreed date	£340 for each working day after the agreed date up to and including the day on which the works are completed	the working day on which the works are completed
9(9)	the agreed date	£170 for each working day after the agreed date up to and including the day on which energisation occurs	the working day on which energisation occurs
9(10)	the agreed date	£250 for each working day after the agreed date up to and including the day on which energisation occurs	the working day on which energisation occurs
9(11)	the agreed date	£340 for each working day after the agreed date up to and including the day on which energisation occurs	the working day on which energisation occurs
10(2)	2 hours	£80	the working day after the day on which the emergency attendance should have taken place
10(3)	2 calendar days	£20 for each working day after the end of the prescribed period up to and including the day on which the fault rectification works are completed	the working day on which the fault rectification works are completed
10(4)	10 working days	£20 for each working day after the end of the prescribed period up to and including the day on which the fault rectification works are completed	the working day on which the fault rectification works are completed

## Annex A – The draft amendments Statutory Instrument

---

10(5)	20 working days	£20 for each working day after the end of the prescribed period up to and including the day on which the fault rectification works are completed	the working day on which the fault rectification works are completed
10(6)	25 working days	£20 for each working day after the end of the prescribed period up to and including the day on which the fault rectification works are completed	the working day on which the fault rectification works are completed
11(2)	25 working days	£20 for each working day after the end of the prescribed period up to and including the day the quotation is dispatched	the working day on which the quotation is dispatched
12(2)	the agreed date	£20 for each working day after the agreed date up to and including the day on which the works are completed	the working day on which the works are completed
12(3)	35 working days	£20 for each working day after the end of the prescribed period up to and including the day on which the works are completed	the working day on which the works are completed
14(1)	10 working days	£80	not applicable

*The seal of the Gas and Electricity Markets Authority here affixed is authenticated by the signature of*



□ □ 2023

I consent

Date

*Martin Cave*  
A member of the Gas and Electricity Markets Authority

*Grant Shapps*  
Minister of State  
Department for Energy Security and Net Zero

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Electricity (Standards of Performance) Regulations 2015 (S.I. 2005/699), which prescribe the sums that electricity suppliers and distributors must pay to a customer by way of compensation for failure to meet specified standards of performance in respect of the services to be provided by such suppliers or distributors, subject to certain exemptions.

The main changes are—

- (a) amending the guaranteed standards of performance by reducing the additional payment intervals from 12 to 6 hours, with the compensation payable halved for each individual payment interval;
- (b) updating the overall regulations to allow all prescribed payments to be made by bank transfer;
- (c) increasing the prescribed sums and the prescribed caps for severe weather events; and
- (d) introducing a mechanism for the prescribed sums and the prescribed caps to increase in line with CPIH and rounded to the nearest £5.

These Regulations amend the Electricity (Connection Standards of Performance) Regulations 2015, which prescribe the sum that an electricity distributor must pay to a customer or relevant authority as appropriate by way of compensation for failure to meet specified standards of performance in respect of the connection services to be provided by electricity distributor.

The main changes are—

- (a) updating the prescribed sums; and
- (b) introducing a mechanism for the prescribed sums to increase in line with CPIH and rounded to the nearest £5.

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