

Notice under Section 23 (3) of the Gas Act 1986

The Gas and Electricity Markets Authority ("the Authority") hereby gives notice pursuant to section 23 (3) of the Gas Act 1986 ("the Act") as follows:

1. The Authority proposes to modify the Standard Licence Conditions contained in the Gas Suppliers Licences of all gas suppliers treated as granted under Section 7 of the Act by amending Standard Licence Condition 46 by introducing new paragraphs, paragraphs 7-10.
2. The reasons why the Authority proposes to make these licence modifications and their effect were published by the Authority in the following documents:
 - a) *Objecting in the Domestic Market: An Ofgem consultation, March 2003*
 - b) *Objecting in the Domestic Market: Decision document, July 2003*
3. In summary, the effect of the modifications now proposed is to change the circumstances in which a gas supplier can prevent a domestic customer's transfer to a new supplier. Specifically, a domestic customer's existing gas supplier will not be able to prevent them from transferring their supply to a new supplier where the customer has not given sufficient contractual termination notice to their existing supplier. The modifications will also have the effect of giving the incumbent gas supplier the ability to prevent an erroneous transfer from taking place where a domestic customer clearly states that they have not entered into a contract with the new supplier or where both the new and old supplier agree that the transfer will otherwise occur in error. Where an objection is made in such circumstances the supplier must retain evidence of the customer's request for at least 12 months and inform the other supplier that they have objected at the customer's request and the reason given by the customer. The proposed modifications will require an incumbent supplier to inform the domestic customer of the reason for any transfer objection made and how the domestic customer may dispute or resolve the grounds of the objection.
4. Relevant licence holders for the purposes of this Notice are all holders of a Gas Suppliers Licence at the relevant time with Standard Licence Condition 46 in force.
5. A pro forma that relevant licence holders may wish to use in order to register a statutory objection is appended to this Notice
6. Copies of the documents referred to in paragraph 2 (which contain the proposed licence modifications) are available (free of charge) from the Ofgem Library, 9 Millbank, London SW1P 3GE (020 7901 7003) or on the Ofgem website (www.ofgem.gov.uk).
7. Any representations or objections with respect to the proposed modifications may be made on or before 9th October 2003 and should be addressed to Joanne Taylor, 9 Millbank, London, SW1P 3GE (020 7901 7254) or Joanne.Taylor@ofgem.gov.uk.



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John Neilson
Managing Director, Customers and Supply
Duly authorised on behalf of the Authority

11th September 2003

Proposed Modification of Standard Licence Condition 46 in the Gas Suppliers Licence

In response to the statutory notice dated 11th September 2003 in respect of the above proposed modification; this notice constitutes a statutory objection to that proposal on behalf of [state full name of each relevant licence holder making the objection].

I confirm that I am duly authorised to give this notice on behalf of each of the above named companies.

[Signed]

Date: []

[Address for acknowledgement, preferably including email address]