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STATUTORY INSTRUMENTS

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**1992 No. 231**

**The Electricity (Northern Ireland) Order 1992**

**PART II**

**ELECTRICITY SUPPLY**

*Consumer protection: standards of performance*

*Electricity supply: performance in individual cases*

**42.**—(1) Regulations may, after consultation with public electricity suppliers and with persons or bodies appearing to the Director to be representative of persons likely to be affected, prescribe such standards of performance in connection with the provision by such suppliers of electricity supply services to tariff customers as, in the opinion of the Director, ought to be achieved in individual cases.

(2) Regulations under this Article may—

- (a) prescribe circumstances in which public electricity suppliers are to inform persons of their rights under this Article;
- (b) prescribe such standards of performance in relation to any duty arising under subparagraph (a) as, in the Director's opinion, ought to be achieved in all cases; and
- (c) prescribe circumstances in which public electricity suppliers are to be exempted from any requirements of the regulations or this Article.

(3) If a public electricity supplier fails to meet a prescribed standard, he shall make to any person who is affected by the failure and is of a prescribed description such compensation as may be determined by or under the regulations.

(4) The making of compensation under this Article in respect of any failure by a public electricity supplier to meet a prescribed standard shall not prejudice any other remedy which may be available in respect of the act or omission which constituted that failure.

(5) Any dispute arising under this Article or regulations made under it—

- (a) may be referred to the Director by either party; and
- (b) on such a reference, shall be determined by order made either by the Director or, if he thinks fit, by the consumer committee or any sub-committee of that committee;

and the practice and procedure to be followed in connection with any such determination shall be such as may be prescribed.

(6) An order under paragraph (5) shall be final and shall be enforceable as if it were a judgement of the county court.

*Electricity supply: overall performance*

**43.**—(1) The Director may, after consultation with public electricity suppliers and with persons or bodies appearing to him to be representative of persons likely to be affected,—

- (a) determine such standards of overall performance in connection with the provision of electricity supply services as, in his opinion, ought to be achieved by such suppliers; and
  - (b) arrange for the publication, in such form and in such manner as he considers appropriate, of the standards so determined.
- (2) Different standards may be determined under this Article for different public electricity suppliers.

*Promotion of efficient use of electricity*

- 44.**—(1) The Director may, after consultation with public electricity suppliers and with persons or bodies appearing to him to be representative of persons likely to be affected,—
- (a) determine such standards of performance in connection with the promotion of the efficient use of electricity by consumers as, in his opinion, ought to be achieved by such suppliers; and
  - (b) arrange for the publication, in such form and in such manner as he considers appropriate, of the standards so determined.
- (2) Different standards may be determined under this Article for different public electricity suppliers.

*Information with respect to levels of performance*

- 45.**—(1) The Director shall collect information with respect to—
- (a) the compensation made by public electricity suppliers under Article 42;
  - (b) the levels of overall performance achieved by such suppliers in connection with the provision of electricity supply services; and
  - (c) the levels of performance achieved by such suppliers in connection with the promotion of the efficient use of electricity by consumers.
- (2) On or before such date in each year as may be specified in a direction given by the Director, each public electricity supplier shall furnish to the Director the following information, namely—
- (a) as respects each standard prescribed by regulations under Article 42, the number of cases in which compensation was made and the aggregate amount or value of that compensation; and
  - (b) as respects each standard determined under Article 43 or 44, such information with respect to the level of performance achieved by the supplier as may be so specified.
- (3) A public electricity supplier who without reasonable excuse fails to do anything required of him by paragraph (2) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) The Director shall at least once in every year arrange for the publication, in such form and in such manner as he considers appropriate, of such of the information collected by or furnished to him under this Article as it may appear to him expedient to give to customers or potential customers of public electricity suppliers.
- (5) In arranging for the publication of any such information the Director shall have regard to the need for excluding, so far as that is practicable—
- (a) any matter which relates to the affairs of an individual, where publication of that matter would or might, in the opinion of the Director, seriously and prejudicially affect the interests of that individual; and

- (b) any matter which relates specifically to the affairs of a particular body of persons, whether corporate or unincorporate, where publication of that matter would or might, in the opinion of the Director, seriously and prejudicially affect the interests of that body.