

DCP 285 Draft Legal Text

Schedule 23, Appendix 1 SLC References

Amend the Reference section to Schedule 23, Paragraph 4 (Responsibilities of Parties)

as follows:

REFERENCE

The Distributor has the right to Disconnect a Premises under paragraph 5 or 6(2) of schedule 6 to the Electricity Act.

The Supplier has the right to Disconnect a Premises under paragraph 5 or 6(3) of schedule 6 to the Electricity Act, or paragraph 11 of schedule 7 to the Electricity Act.

The Electricity Safety, Quality and Continuity Regulations 2002 (including regulation 29), the Connection Agreement for the Connected Installation, and Clauses 25 and 41 of the DCUSA set out the rights and obligations of Distributors in respect of Disconnections (including Clause 25.9.2 in situations where safety is at risk and Clause 25.9.4 where an accident or emergency threatens personal injury or damage to property).

Standard licence conditions 12A.1 to 12A.6 of the Supply Licences oblige licensees to detect, prevent and investigate Theft of Electricity.

See Appendices 1 and 2 to this Code of Practice for further information.

Amend the Reference section to Schedule 23, Paragraph 9 (Visit Procedure/ Gaining Entry) as follows:

REFERENCE

Warrants to enter Premises are granted under the Rights of Entry (Gas and Electricity Boards) Act 1954 and pursuant to schedule 6 of the Electricity Act (see paragraphs 8 and 10).

Standard licence condition 12A.11(a) of the Supply Licences oblige licensees to identify whether an occupant is of pensionable age, disabled or chronically sick and/or will have difficulty paying all or part of the Charges for Theft of Electricity.

Standard licence condition 12A.11(h) of the Supply Licences oblige licensees to provide accurate information and advice about any assessments and disputes regarding Theft of Electricity.

Add a Reference section to Schedule 23, Paragraph 11 (Conduct of Investigations) as follows:

REFERENCE

Standard licence condition 12A.11(e) of the Supply Licences obliges licensees to have (and ensure that any Representative has) sufficient evidence to establish (on the balance of probabilities) the statutory right to Disconnect before stopping the supply of electricity to the premises on grounds of Theft of Electricity.

Amend the Reference section to Schedule 23, Paragraph 12 (Collection and Retention of Evidence (to include Handling of Case Materials)) as follows:

REFERENCE

Section 14 of this Code of Practice sets out the information which should be left with the Customer during a visit to a Premises.

Schedule 6 paragraph 6, and schedule 7 paragraph 11 of the Electricity Act set out the authorisations that need to be sought before disposing of or destroying meters that have been removed on suspicion of Theft of Electricity.

~~Condition 12 of the Supply Licences obliges the Supplier to take all reasonable steps to inspect meters every 2 years.~~

Amend the Reference section to Schedule 23, Paragraph 13 (Treatment of Vulnerable Customers) as follows:

REFERENCE

Condition 10 of the Distribution Licences and Condition 26 of the Supply Licences oblige Distributors and Suppliers (respectively) to have regard to the interests of individuals who are blind partially sighted, deaf or hearing impaired, disabled, chronically sick or of pensionable age. This includes establishing and maintaining a 'Priority Services Register'.

In addition, most Suppliers have ‘vulnerable person flags’ on customer accounts.

Standard licence condition 12A.11(a) of the Supply Licences oblige licensees to identify whether an occupant is of pensionable age, disabled or chronically sick and/or will have difficulty paying all or part of the Charges for Theft of Electricity.

Standard licence condition 12A.11(c) of the Supply Licences require that, where such occupants are identified, the licensee must offer the chance to pay the Charges by using a prepayment meter before seeking to Disconnect the premises.

Standard licence condition 12A.11(d) of the Supply Licence provides that, where the licensee believes there may be an occupant who is of pensionable age, disabled or chronically sick, the licensee must take all reasonable steps not to Disconnect the relevant premises in winter.

Add a Reference section to Schedule 23, Paragraph 14 (Information to Customers) as follows:

REFERENCE

Standard licence condition 12A.11(h) of the Supply Licences oblige licensees to provide accurate information and advice about any assessments and disputes regarding Theft of Electricity.

Add a Reference section to Schedule 23, Paragraph 15.2 (Theft of Electricity Confirmed) as follows:

REFERENCE

Standard licence condition 12A.11(d) of the Supply Licence provides that, where the licensee believes there may be an occupant who is of pensionable age, disabled or chronically sick, the licensee must take all reasonable steps not to Disconnect the relevant premises in winter.

Standard licence condition 12A.11(g) of the Supply Licence provides that the licensee must have sufficient evidence to establish that Theft of Electricity has occurred as a result of an intentional act before requiring payment in respect of the Charges for supply relating to that Theft of Electricity.

Amend Reference section to Schedule 23, Paragraph 15.7 (Assess ability to pay and agree payment arrangements) as follows:

REFERENCE

Suppliers are obliged under Condition 27 of the Supply Licences to take all reasonable steps to ascertain the Customer's ability to pay and to take this into account when calculating instalments.

Standard licence condition 12A.11(b) of the Supply Licences oblige licensees to take into account an occupant's ability to pay when calculating instalments.

Standard licence condition 12A.11(c) of the Supply Licences require that, where there may be an occupant who is of pensionable age, disabled or chronically sick and/or who will have difficulty paying all or part of the Charges for Theft of Electricity, the licensee must offer the chance to pay the Charges by using a prepayment meter before seeking to Disconnect the premises.

Standard licence condition 12A.11(e) of the Supply Licences obliges licensees to have (and ensure that any Representative has) sufficient evidence to establish (on the balance of probabilities) the statutory right to Disconnect before stopping the supply of electricity to the premises on grounds of Theft of Electricity.

Add a Reference section to Schedule 23, Paragraph 15.9 (Maintenance of Records) as follows:

REFERENCE

Standard licence condition 12A.12 of the Supply Licences obliges the licensee to keep a record of its compliance with standard licence condition 12A.

Add a Reference section to Schedule 23, Paragraph 15.12 (Reports) as follows:

REFERENCE

Standard licence condition 12A.14 of the Supply Licences obliges licensees to provide the Authority with information regarding compliance with standard licence condition 12A.

Amend Schedule 23, Appendix 1 (Relevant Statutory and Regulatory Provisions):

Replace the following two rows in the Electricity Supply Licence table as follows:

Standard Licence Condition	Details	Notes
<u>SLC 12.14</u>	Unless the Authority otherwise consents, the licensee must take all reasonable steps to ensure that it inspects, at least once every two years, any Non-Half Hourly Meter in respect of premises at which it has at all times during that period been the Relevant Electricity Supplier.	Obligation to inspect metering
<u>LC 12.16</u>	An inspection under paragraph 12.14 must include: a) taking a meter reading; and b) a visual inspection of any Metering Equipment for the purpose of assessing whether: i. there has been damage to the Metering Equipment or to any electrical plant or electric line; ii. there has been interference with the Non Half-Hourly Meter to alter its register or prevent it from duly registering the quantity of electricity supplied; or the Non Half-Hourly Meter has deteriorated in any way that might affect its safety or proper functioning.	Obligation to inspect metering
<u>SLC 12A.1 and 12A.2</u>	<u>The licensee and its Representatives must take all reasonable steps to secure achievement of the 'Objective' – being (a) detection of Theft of Electricity, investigation of suspected Theft of Electricity, prevention of Theft of Electricity once detected, and prevention of Theft of Electricity by other means; and (b) when taking those steps, behaving in a fair, transparent, not misleading, appropriate and professional manner; and taking into account whether Domestic Customers and/or the occupiers of Domestic Premises who are of Pensionable Age, disabled or chronically sick will have difficulty in paying all or part of the relevant charges.</u>	<u>Objective in respect of Theft of Electricity</u>
<u>SLC 12A.11 to 12A.15</u>	<u>The licensee must comply with certain specified standards in respect of Theft of Electricity investigations, treatment of vulnerable occupiers, disconnections, provision of information to occupiers, and record keeping.</u>	<u>Standards for Theft of Electricity investigations</u>