

*These notes refer to the Energy Act 2013 (c.32)
which received Royal Assent on 18 December 2013*

ENERGY ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: Consumer Protection and Miscellaneous

Chapter 1: Consumer Protection

Consumer redress orders

Schedule 14, Part 1 – Gas Consumers

New section 30K: Time limits for making consumer redress orders

600. By virtue of *subsection (1)*, a consumer redress order can be made no later than five years from the date of the contravention in cases where no final or provisional order has been made by the Authority. (A final or provisional order is an enforcement order, which the Authority can make under section 28 of the Gas Act 1986 or 25 of the Electricity Act 1989). *Subsection (2)* provides that the five year period does not apply if a notice under section 30I has been served on a regulated person or if the Authority is investigating a possible contravention and as part of that investigation has served a notice on the regulated person under section 38 of the Gas Act 1986. In both of these type of case a consumer redress order can be made even though it will be made five years after the date of the contravention.
601. *Subsection (3)* sets out when a consumer redress order can be made in cases where a final or provisional order has been made in respect of a contravention. A consumer redress order can be made within three months of a final order being made or a provisional order being confirmed or within six months if a provisional order was made but not confirmed.