



Competition and Service (Utilities) Act 1992

1992 CHAPTER 43

PART I

STANDARDS OF PERFORMANCE AND SERVICE TO CUSTOMERS

Electricity supply

F1²⁰

Textual Amendments

F1 S. 20 repealed (1.10.2001) by 2000 c. 27, s. 108, Sch. 8; S.I. 2001/3266, art. 2, Sch. (subject to transitional provisions in arts. 3-20)

21 Information to be given to customers about overall performance.

The following section shall be inserted in the ^{M1}Electricity Act 1989, after section 42—

“42A Information to be given to customers about overall performance.

- (1) Each public electricity supplier shall, in such form and manner and with such frequency as the Director may direct, take steps to inform his customers of—
 - (a) the standards of overall performance determined under section 40 above which are applicable to that supplier; and
 - (b) that supplier’s level of performance as respects each of those standards.
- (2) In giving any such direction, the Director shall not specify a frequency of less than once in every period of twelve months.”

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Competition and Service (Utilities) Act 1992, Cross Heading: Electricity supply. (See end of Document for details)

Commencement Information

- I1** S. 21 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I

Marginal Citations

- M1** 1989 c. 29.

F2²²

Textual Amendments

- F2** S. 22 repealed (1.10.2001) by 2000 c. 27, s. 108, Sch. 8; S.I. 2001/3266, art. 2, Sch. (subject to transitional provisions in arts. 3-20)

PROSPECTIVE

23 Billing disputes.

The following section shall be inserted in the ^{M2}Electricity Act 1989, after section 44—

“44A Billing disputes.

- (1) The Secretary of State may by regulations make provision for billing disputes to be referred to the Director for determination in accordance with the regulations.
- (2) In this section “billing dispute” means a dispute between a public electricity supplier and a tariff customer concerning the amount of the charge which the supplier is entitled to recover from the customer in connection with the provision of electricity supply services.
- (3) Regulations under this section may only be made after consulting—
 - (a) the Director; and
 - (b) persons or bodies appearing to the Secretary of State to be representative of persons likely to be affected by the regulations.
- (4) Regulations under this section may provide that, where a billing dispute is referred to the Director, he may either—
 - (a) determine the dispute, or
 - (b) appoint an arbitrator (or in Scotland an arbiter) to determine it.
- (5) Any person determining any billing dispute in accordance with regulations under this section shall, in such manner as may be specified in the regulations, give his reasons for reaching his decision with respect to the dispute.
- (6) Regulations under this section may provide—

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Competition and Service (Utilities) Act 1992, Cross Heading: Electricity supply. (See end of Document for details)

- (a) that disputes may be referred to the Director under this section only by prescribed persons; and
 - (b) for any determination to be final and enforceable—
 - (i) in England and Wales, as if it were a judgment of a county court; and
 - (ii) in Scotland, as if it were an extract registered decree arbitral bearing a warrant for execution issued by the sheriff.
- (7) Except in such circumstances (if any) as may be prescribed—
- (a) the Director or an arbitrator (or in Scotland an arbiter) appointed by him shall not determine any billing dispute which is the subject of proceedings before, or with respect to which judgment has been given by, any court; and
 - (b) neither party to any billing dispute which has been referred to the Director for determination in accordance with regulations under this section shall commence proceedings before any court in respect of that dispute pending its determination in accordance with the regulations.
- (8) No public electricity supplier may commence proceedings before any court in respect of any charge in connection with the provision by him of electricity supply services unless, not less than 28 days before doing so, the tariff customer concerned was informed by him, in such form and manner as may be prescribed, of—
- (a) his intention to commence proceedings;
 - (b) the customer’s rights by virtue of this section; and
 - (c) such other matters (if any) as may be prescribed.
- (9) The powers of the Director under section 28 above shall also be exercisable for any purpose connected with the determination of any dispute referred to him in accordance with regulations made under this section.”

Marginal Citations

M2 1989 c. 29.

24 Compliance with standards of overall performance.

In section 40 of the ^{M3}Electricity Act 1989 (electricity supply: overall performance), the following subsection shall be added at the end—

“(3) It shall be the duty of every public electricity supplier to conduct his business in such a way as can reasonably be expected to lead to his achieving the standards set under this section.”

Commencement Information

I2 S. 24 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Competition and Service (Utilities) Act 1992, Cross Heading: Electricity supply. (See end of Document for details)

Marginal Citations

M3 1989 c. 29.

25 Determination of disputes by Director: interim directions.

- (1) The power of the Director General of Electricity Supply, under section 23(2) of the ^{M4}Electricity Act 1989, to require a public electricity supplier to continue a supply of electricity pending the Director's determination of a dispute shall be extended to enable the Director to require the giving of a supply of electricity pending such a determination.
- (2) Accordingly, in section 23(2) of that Act, the words "to continue" shall be omitted, in both places where they occur.

Commencement Information

I3 S. 25 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

Marginal Citations

M4 1989 c. 29.

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Competition and Service (Utilities) Act 1992, Cross Heading: Electricity supply.