ENERGY BILL

NOTE

The Amendments have been arranged in accordance with the Order of the Committee [15 January].

Dr Alan Whitehead
Caroline Flint
Tom Greatrex
Luciana Berger

Clause 109, page 81, line 23, leave out ‘may’ and insert ‘shall within 12 months of the passing of this Act’.

Dr Alan Whitehead
Caroline Flint
Tom Greatrex
Luciana Berger

Clause 109, page 81, line 35, at end insert—
‘(2A) The strategic priorities shall include a target (the “2030 target”) for decarbonisation of electricity supply in the United Kingdom which when taken in aggregate produces electricity at a level of carbon dioxide of 50g/kWh or less by 1 January 2030.

(2B) It is the duty of the Secretary of State to ensure that the 2030 target is met.

(2C) The Secretary of State must exercise all of the Secretary of State’s functions under Part 1 of this Act and under this Part, and any secondary legislation made under either Part, in order to achieve the 2030 target.

(2D) Progress towards meeting the 2030 target shall be included in the annual progress reports produced by the Committee on Climate Change under section 36 of the Climate Change Act 2008.’.
Clause 109, page 81, line 35, at end—

‘( ) The strategic priorities and policy outcomes set out in subsection (2) must include proposals that ensure the use of biomass for the purpose of generating electricity meets the sustainability criteria in Article 54 of the Renewables Obligation Order, RO 2009, as amended or as directed by the Secretary of State.’.

Clause 110, page 82, line 10, at end—

‘(1A) The Secretary of State must lay and publish a delivery plan to achieve the 2030 target and any interim targets.

(1B) If at any time it appears that a delivery plan will or may not achieve the 2030 target, or any of the interim targets, the delivery plan shall be amended so as to achieve the 2030 target and the interim targets.

(1C) For the purposes of this section “the 2030 target” shall be defined as a target for decarbonisation of electricity supply in the United Kingdom which when taken in aggregate produces electricity at a level of carbon dioxide of 50g/kWh or less by 1 January 2030.’.

Clause 112, page 83, line 42, at end—

‘(6A) The Secretary of State may, following advice from the Committee on Climate Change that the cost of carbon saving technology has significantly changed, by order amend the level at which the 2030 target is set.

(6B) The power in subsection (6A) may only be exercised if policies in other sectors of the economy will ensure that—

(a) the carbon budgets; and

(b) the 2050 target;

will be met regardless of the amendment to the 2030 target.

(6C) Where the Secretary of State makes an amendment under subsection (6A), the Secretary of State may amend any interim targets if, in the opinion of the Secretary of State, the amendment is necessary in order to achieve the 2030 target as amended.'
Energy Bill, continued

(6D) Where the Secretary of State makes an amendment under subsection (6A), the Secretary of State must review and where necessary amend the policies that he has set out to achieve the 2030 target and the interim targets as amended.

(6E) For the purposes of this section—

“the 2030 target” shall be defined as a target for decarbonisation of electricity supply in the United Kingdom which when taken in aggregate produces electricity at a level of carbon dioxide of 50g/kWh or less by 1st January 2030.

“2050 target” has the meaning given in section 1 of the Climate Change Act 2008;

“carbon budgets” has the meaning given in section 4(1) of the 2008 Act;

“carbon saving technology” means the technology used, or capable of use in any sector of the economy to meet—

(a) the carbon budgets; and

(b) the 2050 target.”.

Dr Alan Whitehead
Caroline Flint
Tom Greatrex
Luciana Berger

Clause 112, page 84, line 7, at end insert—

'(9A) The National System Operator (or any alternative delivery body specified under section 34(1)) and the Authority shall exercise their functions under this Act, and any secondary legislation, with the objective of meeting the 2030 target.

(9B) In providing any evidence and analysis, including in relation to any delivery plan, which may be required by the Secretary of State under this Act or under secondary legislation, the National System Operator (or any alternative delivery body specified under section 34(1)) shall ensure that the advice is given taking into account the objective of meeting the 2030 target.

(9C) For the purposes of this section “the 2030 target” shall be defined as a target for decarbonisation of electricity supply in the United Kingdom which when taken in aggregate produces electricity at a level of carbon dioxide of 50g/kWh or less by 1 January 2030.’.

Mr Mike Weir


Mr Mike Weir

Clause 113, page 85, line 18, after ‘Parliament’, insert ‘and the agreement of the Scottish and Welsh Ministers’.
Energy Bill, continued

Tom Greatrex
Luciana Berger

126 Schedule 14, page 178, line 42, leave out subsection (4).

Tom Greatrex
Luciana Berger

127 Schedule 14, page 179, line 7, after ‘turnover’, insert ‘unless one or more consumers have suffered loss or damage greater than this value.’.

Tom Greatrex
Luciana Berger

128 Schedule 14, page 179, line 13, after ‘turnover’, insert ‘unless one or more consumers have suffered loss or damage greater than this value.’.

Tom Greatrex
Luciana Berger

129 Schedule 14, page 185, line 20, leave out subsection (4).

Tom Greatrex
Luciana Berger

130 Schedule 14, page 185, line 29, at end insert ‘unless one or more consumers have suffered loss or damage greater than this value.’.

Tom Greatrex
Luciana Berger

131 Schedule 14, page 185, line 35, at end insert ‘unless one or more consumers have suffered loss or damage greater than this value.’.

Tom Greatrex
Luciana Berger

125 Clause 116, page 87, line 39, at end insert—

‘(4) This section shall take effect on that day on which the first strategy and policy statement comes into effect.’.

Mr John Hayes

98 Clause 118, page 88, line 36, leave out ‘by, or by’ and insert ‘by or on behalf of, or
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by or on behalf of.

Tom Greatrex
Luciana Berger

Clause 121, page 92, line 32, at end insert ‘and any successor authority’.

Mr John Hayes

Clause 124, page 94, line 37, after ‘paragraphs’ insert ‘16(3),’.

Gregory Barker

★ Clause 125, page 95, line 19, at end insert—

‘( ) sections [Power to modify energy supply licences: domestic supply contracts], [Section [Power to modify energy supply licences: domestic supply contracts]: procedure etc], [General duties of Secretary of State] and [Consequential provision] (domestic tariffs: modifications of energy supply licences);

( ) section [Powers to alter activities requiring licence: activities related to supply contracts].’.

NEW CLAUSES

Decarbonisation target range

Mr John Hayes

★ To move the following Clause:—

‘(1) It is the duty of the Secretary of State to ensure, in respect of each year in relation to which a decarbonisation target range is set, that the carbon intensity of electricity generation in Great Britain is no greater than the maximum permitted level of the decarbonisation target range.

(2) The Secretary of State may by order (“a decarbonisation order”) set or amend a decarbonisation target range in relation to a year.

(3) A “decarbonisation target range”, in relation to any year, means a range for the carbon intensity of electricity generation in Great Britain.

(4) Section [Meaning and calculation of “carbon intensity of electricity generation in Great Britain”] makes further provision in relation to subsection (3).
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(5) The earliest year in relation to which a decarbonisation target range may be set is 2030; and the first decarbonisation order may not be made before the date on which the carbon budget for the budgetary period which includes the year 2030 is set by virtue of the duty of the Secretary of State under section 4(2)(b) of the Climate Change Act 2008.

(6) A decarbonisation order may amend a decarbonisation target range only if it appears to the Secretary of State that significant changes affecting the basis on which the decarbonisation target range was set (or previously amended) make it appropriate to do so.

(7) The Secretary of State may not revoke a decarbonisation order unless, in respect of each year in relation to which the order sets a decarbonisation target range, a decarbonisation target range remains in effect.

(8) A decarbonisation order may—
   (a) amend section 23(4) of the Climate Change Act 2008 (alteration of budgetary periods) so that after “Act” there is inserted “or sections [Decarbonisation target range] to [Meaning and calculation of “carbon intensity of electricity generation in Great Britain”] of the Energy Act 2013”;
   (b) repeal section 5 of the Energy Act 2010 (reports on decarbonisation and CCS progress).

(9) Provision made by virtue of subsection (8) may also—
   (a) include incidental, supplementary and consequential provision;
   (b) make transitory or transitional provision or savings.

(10) A decarbonisation order is to be made by statutory instrument and a statutory instrument containing a decarbonisation order may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

(11) Before laying before Parliament a draft of a statutory instrument containing a decarbonisation order the Secretary of State must consult the Scottish Ministers and the Welsh Ministers.’.

Matters to be taken into account

Mr John Hayes

★ To move the following Clause:—

‘(1) The following matters must be taken into account by the Secretary of State in setting or amending a decarbonisation target range.

(2) The matters are—
   (a) scientific knowledge about climate change;
   (b) technology relevant to the generation and storage of electricity and to the demand for and use of electricity;
   (c) economic circumstances, and in particular the likely impact on the economy and the competitiveness of particular sectors of the economy;
   (d) fiscal circumstances, and in particular the likely impact on taxation, public spending and public borrowing;
   (e) social circumstances, and in particular the likely impact on fuel poverty;
   (f) the structure of the energy market in Great Britain;
Further duties of the Secretary of State

Mr John Hayes

To move the following Clause:—

‘(1) As soon as is reasonably practicable after a decarbonisation order is made, the Secretary of State must lay before Parliament a report setting out proposals and policies for fulfilling the duty in section [Decarbonisation target range](1).

(2) Before laying the report under subsection (1), the Secretary of State must consult the Scottish Ministers and the Welsh Ministers; and the Secretary of State must send a copy of the report to them.

(3) The Secretary of State must in respect of each year—

(a) beginning with the year after the first year in which a decarbonisation order is made, and

(b) ending with the final year in relation to which a decarbonisation target range is set,

lay before Parliament a statement of the carbon intensity of electricity generation in Great Britain in relation to that year.

(4) Section [Meaning and calculation of “carbon intensity of electricity generation in Great Britain”] makes further provision in relation to subsection (3).

(5) The statement must include—

(a) a summary of the means by which the carbon intensity was calculated;

(b) in any statement after the first, a declaration of whether the carbon intensity has decreased or increased since the previous statement.

(6) In respect of any year in relation to which a decarbonisation target range is set, the statement must also include—

(a) a declaration that the carbon intensity in relation to that year was no greater than the maximum permitted level of the decarbonisation target range, or

(b) the reasons why the carbon intensity in relation to that year was greater than the maximum permitted level of the decarbonisation target range.

(7) The statement required by subsection (3) must be laid before Parliament not later than the 31st March in the second year following the year in respect of which the carbon intensity is being stated.

(8) The Secretary of State must send a copy of the statement required by subsection (3) to the Scottish Ministers and the Welsh Ministers.’.
Mr John Hayes

★ To move the following Clause:

'(1) In sections [Decarbonisation target range] and [Further duties of the Secretary of State], “carbon intensity of electricity generation in Great Britain” means grams of carbon dioxide equivalent emissions, measured per kilowatt hour of electricity generated in Great Britain (calculated consistently with international carbon reporting practice).

(2) For the purposes of subsection (1)—
   (a) “carbon dioxide equivalent” means a gram of carbon dioxide or an amount of any other greenhouse gas with an equivalent global warming potential (calculated consistently with international carbon reporting practice);
   (b) “Great Britain” includes—
      (i) the territorial sea adjacent to Great Britain, and
      (ii) any area for the time being designated by an Order in Council under section 84(4) of the Energy Act 2004 (a “Renewable Energy Zone” for the purposes of that Act).

(3) In this section—
   (a) “greenhouse gas” has the meaning given by section 92(1) of the Climate Change Act 2008;
   (b) “international carbon reporting practice” has the meaning given by section 94(1) of that Act.

(4) But the Secretary of State may by order make further provision about—
   (a) the meaning of “carbon intensity of electricity generation in Great Britain” (including, in particular, the meaning of “Great Britain”);
   (b) the means by which the carbon intensity is to be calculated;
   (c) the meaning of “in relation to any year”; 
   and subsections (1) to (3) are subject to provision made by any such order.

(5) An order under this section is to be made by statutory instrument and a statutory instrument containing such an order may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

(6) An order under this section may—
   (a) include incidental, supplementary and consequential provision;
   (b) make transitory or transitional provision or savings;
   (c) make different provision for different cases or circumstances or for different purposes;
   (d) make provision subject to exceptions.

(7) Before laying before Parliament a draft of a statutory instrument containing an order under this section the Secretary of State must consult the Scottish Ministers and the Welsh Ministers.'.
Fees for services provided for energy resilience purposes

Mr John Hayes

★ To move the following Clause:—

‘(1) The Secretary of State may require fees to be paid for services or facilities provided or made available by the Secretary of State in the exercise of energy resilience powers.

(2) “Energy resilience powers” are any powers exercised by the Secretary of State for the purposes of, or in connection with, preventing or minimising disruption to the energy sector in Great Britain (including disruption to the supply of fuel in Great Britain).

(3) The amount of any fee charged under this section is—
   (a) such amount as may be specified in, or determined by or in accordance with, regulations made by the Secretary of State, or
   (b) if no such regulations are made, an amount specified in, or determined by or in accordance with, a direction given by the Secretary of State for the purposes of this section.

(4) Regulations or a direction under this section may provide for the amounts of fees to be different in different cases and, in particular, for fees in respect of the exercise of the same power to be of different amounts in different circumstances.

(5) Regulations under subsection (3)(a) must be made by statutory instrument and any such instrument is subject to annulment in pursuance of a resolution of either House of Parliament.

(6) The Secretary of State must lay before Parliament a statement of any fees specified in, or determined by or in accordance with, a direction given under subsection (3)(b).’.

Power to modify energy supply licences: domestic supply contracts

Gregory Barker

★ To move the following Clause:—

‘(1) The Secretary of State may modify—
   (a) a condition of a particular licence under section 7A(1) of the Gas Act 1986 (supply licences);
   (b) the standard conditions incorporated in licences under that provision by virtue of section 8 of that Act;
   (c) a condition of a particular licence under section 6(1)(d) of EA 1989 (supply licences);
   (d) the standard conditions incorporated in licences under that provision by virtue of section 8A of that Act.

(2) The power under subsection (1) may be exercised for the purpose only of—
   (a) promoting competition in domestic supplies of gas and electricity; or
   (b) requiring licence holders to change the domestic tariffs or other terms of domestic supply contracts so as to reduce the costs to their domestic customers for supplies of gas or electricity.'
(3) A modification under subsection (1) may, in particular, make provision—
   (a) requiring a licence holder to adopt one or more standard domestic tariffs;
   (b) for specifying a limit on the number of domestic tariffs, or domestic tariffs of a particular category, a licence holder may adopt;
   (c) about discretionary terms (and may in particular require the same discretionary terms to be offered in connection with, or incorporated into, all domestic supply contracts of any particular category);
   (d) for requiring a licence holder to provide information about its domestic tariffs and other supply contract terms, including information for enabling or facilitating the comparison—
      (i) of different domestic tariffs or supply contract terms of the licence holder;
      (ii) of domestic tariffs and supply contract terms of different licence holders;
   (e) for requiring a licence holder to change the domestic tariff or other supply contract terms on which it supplies gas or electricity to a domestic customer by—
      (i) switching to a different domestic tariff or different supply contract terms, unless the customer objects, or
      (ii) offering the customer, or inviting the customer to switch to, a different domestic tariff or different supply contract terms.

(4) Provision that may be included in a licence by virtue of subsection (3)(d) may in particular—
   (a) require a licence holder to provide each domestic customer with information—
      (i) about the customer’s existing domestic tariffs and supply contract terms;
      (ii) about the expected cost to the customer of supplies under the customer’s existing domestic supply contract and on one or more other domestic tariffs (including the lowest domestic tariff for the customer) or other supply contract terms of the licence holder;
      (iii) about how to switch to different supply contract terms;
   (b) make provision about the format in which information is to be provided, which may in particular require information to be provided—
      (i) in the form of a code or otherwise in a format readable by an electronic device, or which facilitates processing of the information by means of an electronic device, or
      (ii) in the case of information about a domestic tariff or supply contract terms, in the form of a single figure or set of figures.

(5) Provision included in a licence by virtue of the power in subsection (1)—
   (a) may make provision for specifying how any domestic tariff (including a licence holder’s lowest domestic tariff for a customer), or other supply contract terms, is or are to be identified for the purpose of any relevant provision;
   (b) may make provision about the calculation or estimation of any amount or figure for the purpose of a relevant provision, which may, in particular, include provision—
      (i) about assumptions to be made;
      (ii) requiring information about a customer’s circumstances or previous consumption of gas or electricity to be taken into account;
(c) may confer functions on the Secretary of State or the Authority;
(d) may make different provision for different kinds of domestic customers or different supply contract terms, or otherwise in relation to different cases;
(e) may make provision generally or only in relation to specified categories of domestic customers, domestic tariffs or domestic supply contracts or otherwise only in relation to specified cases or subject to exceptions;
(f) need not relate to the activities authorised by the licence;
(g) may do any of the things authorised for licences of that type by section 7B(5)(a), (6) or (7) of the Gas Act 1986 or section 7(3), (4), (5) or (6A) of EA 1989.

(6) The power in subsection (1)—
(a) may be exercised generally, only in relation to specified cases or subject to exceptions (including provision for a case to be excepted only so long as specified conditions are satisfied);
(b) may be exercised differently in different cases or circumstances;
(c) includes a power to make consequential modifications.

(7) In this section—
“discretionary terms”, in relation to a domestic supply contract (or proposed domestic supply contract), means the supply contract terms other than the principal terms;
“domestic customer” means a customer under a domestic supply contract;
“domestic supply contract” means a contract for the supply of gas or electricity at domestic premises wholly or mainly for domestic purposes;
“domestic tariff”, in relation to a domestic supply contract (or proposed domestic supply contract), means the principal terms of the contract;
“modify” includes amend, add to or remove, and reference to modifications are to be construed accordingly;
“the principal terms”, in relation to a domestic supply contract, means the terms of the contract of the types specified in an order under subsection (10);
“relevant provision” means any provision included in a licence by virtue of subsection (1);
“standard domestic tariff” means a domestic tariff some or all of whose terms are specified by, or in accordance with, a relevant provision;
“supply contract terms” means the terms and conditions of a domestic supply contract.

(8) For the purposes of the definition of “standard domestic tariff”, the terms that may be specified by, or in accordance with, a relevant provision—
(a) may include a term providing for a charge or rate to be fixed for a period specified by, or in accordance with, the provision, but
(b) may not otherwise include any term setting a monetary charge or rate.

(9) For the purposes of this section—
(a) gas or electricity is supplied on a tariff if the supply is made under a contract whose principal terms are the terms of the tariff; and
(b) a licence holder adopts a tariff if it supplies or offers to supply gas or electricity on that tariff.

(10) The Secretary of State may by order specify types of terms of a domestic supply contract (as to charges and other matters) which are the principal terms of such a contract.

(11) An order under subsection (10) may—
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(a) include incidental, supplementary and consequential provision;
(b) make transitory or transitional provision or savings;
(c) make different provision for different domestic supply contracts or otherwise for different purposes;
(d) make provision subject to exceptions.

(12) An order under subsection (10) is to be made by statutory instrument.’.

Section [Power to modify energy supply licences: domestic supply contracts]: procedure etc

Gregory Barker

★ To move the following Clause:—

‘(1) Before making modifications of a licence under section [Power to modify energy supply licences: domestic supply contracts](1) the Secretary of State must—
(a) publish the proposed modifications, and
(b) consult—
(i) the holder of any licence being modified,
(ii) the Authority, and
(iii) such other persons as the Secretary of State considers it appropriate to consult.

(2) Subsection (1)(b) may be satisfied by consultation before, as well as by consultation after, the passing of this Act.

(3) Subsection (4) applies where, after the consultation, the Secretary of State decides to make the modifications (whether in the form published under subsection (1)(a) or in a modified form).

(4) The Secretary of State must publish a statement of the decision, which must—
(a) contain details of the modifications to be made under section [Power to modify energy supply licences: domestic supply contracts](1);
(b) state when the modifications are to take effect.

(5) Where the Secretary of State makes a modification of the standard conditions of a licence of any type, the Authority must—
(a) make the same modification of those standard conditions for the purposes of their incorporation in licences of that type granted after that time, and
(b) publish the modification.

(6) A modification of part of a standard condition of a particular licence does not prevent any other part of the condition from continuing to be regarded as a standard condition for the purposes of Part 1 of the Gas Act 1986 or Part 1 of EA 1989.

(7) The power in section [Power to modify energy supply licences: domestic supply contracts](1) may not be exercised after 31 December 2018.’.
To move the following Clause:—

‘(1) Sections 4AA to 4B of the Gas Act 1986 (principal objective and general duties) apply in relation to functions of the Secretary of State under section [Power to modify energy supply licences: domestic supply contracts] or [Section [Power to modify energy supply licences: domestic supply contracts]: procedure etc] of this Act with respect to holders of licences under section 7A(1) of that Act as they apply in relation to functions of the Secretary of State under Part 1 of that Act.
(2) Sections 3A to 3D of EA 1989 (principal objective and general duties) apply in relation to functions of the Secretary of State under section [Power to modify energy supply licences: domestic supply contracts] or [Section [Power to modify energy supply licences: domestic supply contracts]: procedure etc] of this Act with respect to holders of licences under section 6(1)(d) of that Act as they apply in relation to functions of the Secretary of State under Part 1 of that Act.’.

Consequential provision

To move the following Clause:—

‘(1) The Utilities Act 2000 is amended as follows.
(2) In section 33 (standard conditions of electricity licences), in subsection (1)(f), omit “76 or”.
(3) In section 81 (standard conditions of gas licences), in subsection (2), for “or under Chapter 1 of Part 1 or section 76 or 98 of the Energy Act 2011” substitute “, under Chapter 1 of Part 1 or section 98 of the Energy Act 2011 or under section [Power to modify energy supply licences: domestic supply contracts] of the Energy Act 2013”.
(4) In the Energy Act 2011, sections 76 to 78 (power to modify energy supply licences: information about tariffs) are repealed.’.

Powers to alter activities requiring licence: activities related to supply contracts

To move the following Clause:—

‘(1) In section 41C of the Gas Act 1986 (power to alter activities requiring licence), after subsection (4) insert—
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“(4A) For the purposes of subsection (4), activities connected with the supply of gas include the following activities, whether or not carried on by a person supplying gas—
(a) giving advice, information or assistance in relation to contracts for the supply of gas to persons who are or may become customers under such contracts, and
(b) the provision of any other services to such persons in connection with such contracts.”

(2) In section 56A of EA 1989 (power to alter activities requiring licence), after subsection (4) insert—
“(4A) For the purposes of subsection (4), activities connected with the supply of electricity include the following activities, whether or not carried on by a person supplying electricity—
(a) giving advice, information or assistance in relation to contracts for the supply of electricity to persons who are or may become customers under such contracts, and
(b) providing any other services to such persons in connection with such contracts.”

Payment of winter fuel allowance to pensioners off the gas grid

Mr Mike Weir

To move the following Clause:—

‘Regulations shall be made to allow the payment of Winter Fuel Allowance payable under the Social Fund Winter Fuel Payment Regulations 2000 (SI 2000/729) to eligible persons whose main residences are not connected to the mains gas grid and whose principle source of fuel is home fuel oil, liquid petroleum gas or propane gas, no later than 30 September in each calendar year.’

Strategic reserve

Dr Alan Whitehead

To move the following Clause:—

‘(1) The Secretary of State may by regulation introduce a system of strategic reserve of supply if he determines that the expense of maintaining a capacity market is detrimental to the continuing interests of either—
(a) security of supply, or
(b) energy customers.

(2) The Secretary of State may by regulation designate a nominated person to hold and manage the strategic reserve on his behalf (“the Strategic Reserve Operator”).

(3) A person is eligible to be designated if the person is—
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(a) a company formal and registered under the Companies Act 2006, or
(b) a public authority, including any person whose functions are of a public nature.

(4) The Strategic Reserve Operator must contract with the System Operator for the circumstances under which the Strategic Reserve Operator supplies power to the System Operator.

(5) The Secretary of State must approve the drawing up of any contract between the System Operator and the Strategic Reserve Operator and may from time to time vary the terms of the contract should circumstances require.

(6) The Secretary of State must lay before Parliament a reasoned case for any change of content under subsection (5).

(7) Strategic Reserve regulations may make provision for payments to be made by electricity suppliers or capacity providers to a settlement body (see section 18(4)(g)) for the purposes of enabling the body—
(a) to meet such descriptions of its costs that the Secretary of State considers appropriate;
(b) to hold sums in reserve;
(c) to make payments to the Strategic Reserve Operator for the purpose of securing and operating strategic reserve capacity.’.

Electricity efficiency incentives

Dr Alan Whitehead
Zac Goldsmith
Peter Aldous

To move the following Clause:—

‘(1) The Secretary of State must within one year of the passing of this Act make regulations establishing a scheme or schemes to make payments for the purpose of rewarding the installation of electricity saving measures.

(2) Prior to the making of regulations under this section, the Secretary of State must publish a report setting out the total potential for electricity demand reduction and the extent to which this potential will be achieved by Government policies including—
(a) the scheme or schemes; and
(b) other relevant programmes, regulation or expenditure.

(3) Regulations under this section must—
(a) specify the parties from and to whom payments may be made;
(b) make provision about the calculation of such payments;
(c) make provision about—
(i) the level;
(ii) the type;
(iii) the frequency; or
(iv) the duration;

of such payments, which may differ according to the measures installed or the parties from or to whom payments are made;
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(d) make provision about the monitoring, verification and calculation of electricity savings.

(4) For the purposes of this section, electricity saving measures are defined as measures which achieve permanent and verifiable saving of electricity, which is their primary purpose.

Market access for independent renewable generators

Dr Alan Whitehead

To move the following Clause:

“( ) The Secretary of State must exercise the powers conferred by this Chapter so as to establish an auction market (the “green power auction market”) in which generators are entitled to offer, and holders of supply licences are entitled to bid for, electricity generated from renewable sources.

( ) The Secretary of State must exercise those powers, and take such other steps (including the exercise of any other power conferred by or under a provision of this Part) as the Secretary of State considers necessary, for the purpose of ensuring that—

(a) the green power auction market begins to operate when the first CFD is made and does not cease to operate until expiry of the last CFD that has been made; and

(b) the reference price under a CFD entered into by a generator who is a party to an agreement made through the green power auction market is based on the price payable to the generator under that agreement.

( ) In this section—

“CFD” means a contract for difference as specified in subsection 2(a) and (b);

“supply licence” means a licence under section 6(1)(d) of EA 1989.”.

Delivery plan for 2030 decarbonisation

Dr Alan Whitehead
Caroline Flint
Tom Greatrex
Luciana Berger

To move the following Clause:

‘(1) The Secretary of State must lay and publish the first delivery plan for meeting the 2030 target as soon as is reasonably practicable after the designation of the Strategy and Policy Statement.

(2) Updated delivery plans must then be laid and published every five years after the date on which the previous delivery plan was laid.

(3) Each delivery plan must set out in respect of the period to which it relates—
(a) the policies and procedure to be adopted in order to achieve the 2030 target and any interim targets;
(b) the impacts which the policies and procedures are expected to have;
(c) the expected generating capacity including—
   (i) electricity generated from renewable sources; and
   (ii) other low carbon electricity.

(4) The policies and procedures referred to in subsection (3)(a) shall include policies to reduce demand for electricity.

(5) The impacts referred to in subsection (3)(b) shall include in particular the impact on—
   (a) electricity bills including the impact of—
       (i) electricity generated from renewable sources, and
       (ii) other low carbon electricity;
   (b) fuel poverty and low income households;
   (c) the economy;
   (d) the security of supply of electricity and gas to consumers.

(6) Prior to laying the delivery plan the Secretary of State must—
   (a) obtain, and take into account, the advice of the Committee on Climate Change,
   (b) subject to subsection (7), take into account any representations made by the other national authorities, and
   (c) carry out a public consultation.

(7) Subsection (6)(b) shall not prevent the Secretary of State from laying the delivery plan where representations are made by a national authority after the relevant date.

(8) The Committee must, at the time it gives the advice to the Secretary of State—
   (a) send a copy of the advice to the other national authorities; and
   (b) publish the advice.

(9) At the same time as laying the delivery plan the Secretary of State must lay and publish a statement setting out how the order or delivery plan takes account of—
   (a) the advice of the Committee;
   (b) any representations made by the other national authorities; and
   (c) any responses to the public consultation.

(10) The Secretary of State shall prepare an annual report which sets out the progress made in respect of the matters set out in the delivery plan.

(11) The Secretary of State shall each year within 30 days of the anniversary of the date on which the last delivery plan was laid—
   (a) lay the annul report before Parliament, and
   (b) publish the report.

(12) An order under this section is subject to the affirmative resolution procedure.

(13) If at any time it appears that a delivery plan will or may not achieve the 2030 target, or any of the interim targets, the delivery plan shall be amended so as to achieve the 2030 target and the interim targets.

(14) For the purposes of this section—
   “affirmative resolution procedure” has the meaning given in section 91 of the Climate Change Act 2008;
   “national authorities” has the meaning given in section 95 of the 2008 Act;
   “relevant date” means the date three months after the day on which the advice of the Committee was sent to the national authority; and
“the 2030 target” shall be defined as a target for decarbonisation of electricity supply in the United Kingdom which when taken in aggregate produces electricity at a level of carbon dioxide of 50g/kWh or less by 1 January 2030.’.

Cheapest tariff

Tom Greatrex
Luciana Berger

To move the following Clause:—

‘A company supplying electricity, gas or heating oil to a domestic customer shall, at least annually, inform the customer of the cheapest tariff available to that customer (based on that customer’s current method of payment and usage during the previous 12 month period) and move the customer to that tariff if that customer is aged 75 or over.’.

Extension or operation of renewable energy in Wales

Albert Owen
Owen Smith

To move the following Clause:—

‘Notwithstanding any existing legislation, Welsh Ministers shall have the power to grant consent for the construction, extension or operation of renewable energy generation up to 100MW on both sea and land in Wales.’.

Mr John Hayes

★ Title, line 1, after ‘provision,’ insert ‘for the setting of a decarbonisation target range and duties in relation to it’.

Mr John Hayes
Gregory Barker

★ Title, line 8, leave out ‘further fees in respect of nuclear decommissioning costs’ and insert ‘fees in connection with certain costs incurred by the Secretary of State; about domestic supplies of gas and electricity; for extending categories of activities for which energy licences are required’.
Energy Bill, continued

ORDER OF THE HOUSE [19 DECEMBER 2012]

That the following provisions shall apply to the Energy Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 12 February 2013.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

ORDER OF THE COMMITTEE [15 JANUARY]

That—

(1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 15 January) meet—

(a) at 2.00 pm on Tuesday 15 January;
(b) at 11.30 am and 2.00 pm on Thursday 17 January;
(c) at 8.55 am and 2.00 pm on Tuesday 22 January;
(d) at 11.30 am and 2.00 pm on Thursday 24 January;
(e) at 8.55 am and 2.00 pm on Tuesday 29 January;
(f) at 11.30 am and 2.00 pm on Thursday 31 January;
(g) at 8.55 am and 2.00 pm on Tuesday 5 February;
(h) at 11.30 am and 2.00 pm on Thursday 7 February;
(i) at 8.55 am and 2.00 pm on Tuesday 12 February;

(2) the Committee shall hear oral evidence in accordance with the following Table:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Witness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday 15 January</td>
<td>Until no later than 9.55 am</td>
<td>Department of Energy and Climate Change; Ministry of Defence</td>
</tr>
<tr>
<td>Date</td>
<td>Time</td>
<td>Witness</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tuesday 15 January</td>
<td>Until no later than 11.00 am</td>
<td>National Grid; Scottish Power; Centrica; E.ON UK</td>
</tr>
<tr>
<td>Tuesday 15 January</td>
<td>Until no later than 11.25 am</td>
<td>The Office of Gas and Electricity Markets</td>
</tr>
<tr>
<td>Tuesday 15 January</td>
<td>Until no later than 2.45 pm</td>
<td>Confederation of British Industry; representative from the Low Carbon Finance Group</td>
</tr>
<tr>
<td>Tuesday 15 January</td>
<td>Until no later than 3.30 pm</td>
<td>Renewable Energy Systems; DONG Energy; Ecotricity</td>
</tr>
<tr>
<td>Tuesday 15 January</td>
<td>Until no later than 4.15 pm</td>
<td>Cornwall Energy Associates Ltd; Professor Catherine Mitchell, University of Exeter; Professor Dieter Helm CBE, University of Oxford</td>
</tr>
<tr>
<td>Tuesday 15 January</td>
<td>Until no later than 5.00 pm</td>
<td>Vestas Wind Systems; SSE</td>
</tr>
<tr>
<td>Thursday 17 January</td>
<td>Until no later than 12.00 pm</td>
<td>Committee on Climate Change</td>
</tr>
<tr>
<td>Thursday 17 January</td>
<td>Until no later than 12.45 pm</td>
<td>Greenpeace; Friends of the Earth</td>
</tr>
<tr>
<td>Thursday 17 January</td>
<td>Until no later than 3.00 pm</td>
<td>Safety Directors’ Forum; EDF Energy; Carbon Capture and Storage Association</td>
</tr>
<tr>
<td>Thursday 17 January</td>
<td>Until no later than 4.00 pm</td>
<td>Consumer Focus; Institute for Public Policy Research; Which?</td>
</tr>
<tr>
<td>Thursday 17 January</td>
<td>Until no later than 4.45 pm</td>
<td>National Energy Action; GMB</td>
</tr>
<tr>
<td>Thursday 17 January</td>
<td>Until no later than 5.30 pm</td>
<td>Combined Heat and Power Association; Siemens; E3G</td>
</tr>
<tr>
<td>Thursday 17 January</td>
<td>Until no later than 6.00 pm</td>
<td>RenewableUK</td>
</tr>
</tbody>
</table>

(3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 3; Schedule 1; Clauses 4 to 31; Schedule 2; Clauses 32 and 33; Schedule 3; Clauses 34 to 38; Schedule 4; Clauses 39 and 40; Schedule 5; Clauses 41 to 54; Schedule 6; Clauses 55 to 57; Schedule 7; Clauses 58 to 62; Schedule 8; Clauses 63 to 79; Schedule 9; Clauses 80 to 85;
Energy Bill, continued

Schedule 10; Clauses 86 to 93; Schedule 11; Clause 94; Schedule 12; Clauses 95 to 107; Schedule 13; Clauses 108 to 117; Schedule 14; Clauses 118 to 126; new Clauses; new Schedules; remaining proceedings on the Bill;

(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 12 February.