

# Smart Meters Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

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*[Amendments marked ★ are new or have been altered]*

Amendment  
No.

**Clause 1**

LORD GRANTCHESTER  
LORD STEVENSON OF BALMACARA

- 1 Page 1, line 5, leave out “2023” and insert “2026”
- 2 Page 1, line 21, at end insert –  
“( ) The provisions set out in subsections (2) and (3) do not allow the Secretary of State to remove activities from the activities which are licensable activities in respect of smart meter communications.”

**After Clause 1**

LORD GRANTCHESTER  
LORD STEVENSON OF BALMACARA

- 3 Insert the following new clause –  
**“Cyber security**  
The Secretary of State must place a duty on the Government Communications Headquarters to conduct an annual risk assessment to ensure that the smart metering system is adequately protected from cyber attacks.”
- 4★ Insert the following new clause –  
**“National Plan for Smart Metering**  
(1) Within one month of the passing of this Act, the Secretary of State may direct OFGEM to develop a draft National Plan for Smart Metering which will deliver all the objectives of the smart metering implementation programme, together with an appropriate termination date.  
(2) The Secretary of State must consult OFGEM before giving a direction under this section.

**After Clause 1 - continued**

- (3) When preparing the draft National Plan, OFGEM must consult –
  - (a) District Network Operators (DNOs);
  - (b) Data Communications Company;
  - (c) energy suppliers;
  - (d) consumer interests bodies;
  - (e) Smart Energy GB;
  - (f) the National Audit Office; and
  - (g) such other relevant bodies as may seem to be appropriate.
- (4) The draft National Plan for Smart Metering must set out the obligations to be undertaken by the licensed energy suppliers and their associated organisations in delivering all the objectives of the smart metering programme and must include, but is not limited to, the following –
  - (a) detailed targets for each quarter of each year for each energy supplier in pursuit of the objective of complete roll out of smart meters by an agreed termination date;
  - (b) a detailed specification for the functionality and performance required in each meter, so as to ensure reliable service life, ease of installation and maintenance, appropriate inter-operability, future upgrading capacity, and removal and safe disposal of obsolescent equipment;
  - (c) an assessment of the future developments thought feasible and desirable for the smart meter programme, including monitoring of customer activity so as to deliver least cost tariff benefits combined with the maximum ability to engage with future appliance applications, inter-operability, compatibility with smart phones and tablets, and the encouragement of self-generated capacity in the home;
  - (d) an assessment of the potential of smart meters to be the gateway to additional domestic energy efficiency measures;
  - (e) an analysis of technical developments to provide alternative solutions for Home Area Network (HAN) connections where premises are not able to access the HAN using existing connection arrangements;
  - (f) an assessment of the most effective way of dealing with the inclusion in the programme of hard-to-reach premises and multiple-occupancy dwellings;
  - (g) an assessment of alternative delivery arrangements as between energy suppliers and DNOs which might increase the effectiveness of roll out solutions over time.
- (5) OFGEM must publish the draft National Plan for Smart Metering by 31 December 2018.
- (6) After due consideration and consultation, the Secretary of State must in regulations made by statutory instrument specify the final version of the National Plan for Smart Metering.
- (7) A statutory instrument containing regulations under this section may not be made unless a draft of that instrument has been laid before, and approved by a resolution of, each House of Parliament.

*After Clause 1 - continued*

- (8) OFGEM must report annually on the extent to which the National Plan for Smart Metering is being delivered, in line with the termination date.
- (9) If at any point it appears to OFGEM that the targets specified in the National Plan for Smart Metering are not likely to be achieved, it must prepare a report for the Secretary of State, who must lay such a report before Parliament, together with recommendations for what consequential action is required to enable the programmes to be completed by the termination date.”

BARONESS MADDOCK  
BARONESS FEATHERSTONE

5★ Insert the following new Clause –

**“Review: use of powers to impact energy use in the United Kingdom**

- (1) The Secretary of State must commission a review to consider how the extended use of powers provided for in section 1 will impact energy use in the United Kingdom, with particular reference to –
  - (a) the impact on fuel poverty; and
  - (b) the impact on energy efficiency.
- (2) The Secretary of State must lay the report of the review under subsection (1) before each House of Parliament within 12 months of this section coming into force.”

6★ Insert the following new Clause –

**“Review of code of practice for energy suppliers**

- (1) The Secretary of State must commission a review of the code of practice that currently applies to energy suppliers engaged in the installation of smart meters, and whether it is fit for purpose.
- (2) The review must include consultation with consumers who have had smart meters installed, or who have been approached by suppliers to do so.
- (3) The Secretary of State must lay the report of the review under subsection (1) before each House of Parliament within six months of this section coming into force.”

BARONESS FEATHERSTONE  
BARONESS MADDOCK

7★ Insert the following new Clause –

**“Requirement on suppliers to pass on savings to consumers**

- (1) The Energy Act 2008 is amended as follows.
- (2) At the end of section 88(3) (power to amend licence conditions etc: smart meters), insert –
  - “(m) provision requiring the holder of a supply licence to pass on any savings made by the holder as a result of the Smart Metering Implementation Programme to the consumer.””

### Clause 3

BARONESS FEATHERSTONE  
LORD TEVERSON

- 8★ Page 2, line 34, at end insert –  
“(aa) that the cost incurred when the smcl administration order is in place is not passed on to the consumer; and”
- 9★ Page 2, line 37, at end insert “or (aa)”

### After Clause 9

LORD GRANTCHESTER  
LORD STEVENSON OF BALMACARA

- 10★ Insert the following new Clause –  
**“Conditions on the new smart meter communication licensee**
- (1) The Secretary of State may impose conditions on the successor licensee as appropriate.
  - (2) Conditions under subsection (1) may include –
    - (a) that it must not pass on costs of insolvency and administration to the consumer, including through changes to energy prices, and
    - (b) that the licensee must be a British owned company.”

### After Clause 11

BARONESS FEATHERSTONE

- 11★ Insert the following new Clause –  
**“Review of the use of data obtained by suppliers**
- (1) The Secretary of State must commission a review of the use, and potential misuse, of the data obtained by suppliers as a result of the requirement for half-hourly settlement, and of the Smart Metering Implementation Programme in general.
  - (2) The review must make reference to –
    - (a) the risk of data obtained from consumers being stolen;
    - (b) the risk of data obtained being passed on to third parties without the consent of the consumer; and
    - (c) if the risks referenced in paragraphs (a) and (b) are deemed substantial, what systems should be implemented to combat them.
  - (3) The Secretary of State must lay the report of the review under subsection (1) before each House of Parliament within six months of this section coming into force.”

**Clause 14**

LORD TEVERSON  
BARONESS FEATHERSTONE

- 12★** Page 12, line 25, leave out “Section 1 and this section come” and insert “This section comes”
- 13★** Page 12, line 26, at end insert—
- “(2A) Section 1 comes into force on the day on which this Act is passed provided at least one of the conditions under subsection (2B) is met.
- (2B) The conditions are—
- (a) at least 500,000 SMETS 2 meters are in operation in homes and small businesses across the United Kingdom; and
  - (b) the Secretary of State has laid before Parliament an assessment of the Smart Metering Implementation Programme, and whether or not it has provided satisfaction and value for money for the general public.”

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*20 April 2018*

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