

Domestic Gas and Electricity (Tariff Cap) Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

[Amendments marked ★ are new or have been altered]

Amendment
No.

Clause 1

LORD GRANTCHESTER
BARONESS FEATHERSTONE

- 1 Page 2, line 15, at end insert—
“() the need to ensure that adequate protection exists for vulnerable domestic customers, including ensuring those customers who currently benefit under a cap imposed by the Authority on rates or amounts charged for, or in relation to, the supply of gas or electricity because they appear to the Authority to be vulnerable, retain those benefits.”

LORD WHITTY

- 2★ Page 2, line 15, at end insert—
“() the need to ensure that holders of supply licences communicate with domestic customers in appropriate formats about the different domestic supply contracts which are available, including any tariff cap which may apply.”

LORD MACKAY OF CLASHFERN
LORD HUNT OF WIRRAL
LORD CARLILE OF BERRIEW

- 3 Page 2, line 20, at end insert—
“(8) Subject to subsections (9) to (12), sections 11C to 11H of the Electricity Act 1989 and sections 23B to 23G of the Gas Act 1986 apply to modifications of the standard supply licence conditions made under this section.
(9) Any appeal against modifications to the standard supply licence conditions made pursuant to this section—
(a) may not challenge the decision to impose a price control in principle; but
(b) subject to paragraph (a), may relate to—

Clause 1 - continued

- (i) the principles applied in setting the tariff cap conditions in question,
 - (ii) the methods applied or calculations used or data used in setting the tariff cap conditions, or
 - (iii) what the provisions contained in the tariff cap conditions should or should not be (including at what level the tariff cap control should or should not be set).
- (10) The decision of the Authority to modify the standard supply licence conditions to include tariff cap conditions is to have full effect pending the determination by the Competition and Markets Authority (CMA) of any appeal.
- (11) Paragraph 2 of Schedule 5A to the Electricity Act 1989 and paragraph 2 of Schedule 4A to the Gas Act 1986 do not apply to modifications of the standard supply licence conditions made under this section.
- (12) Notwithstanding section 11G(1) of the Electricity Act 1989 and section 23F(1) of the Gas Act 1986, the CMA must determine an appeal against modifications of the standard supply licence conditions made under this section within the period of 4 months beginning with the day on which it accepts the appeal.”

LORD GRANTCHESTER

As an amendment to Amendment 3

4 At end insert –

- “(13) The Secretary of State must ensure that a statutory consumer advocate for energy consumers is not disadvantaged by the cost of the appeals process.”

Clause 2

BARONESS FEATHERSTONE

5 Page 2, line 26, at end insert –

- “() must make provision requiring that the cap be referred to as “the temporary price cap” and not by any other name in any communications that holders of supply licences have with customers;”

LORD WHITTY

6★ Page 2, line 36, at end insert –

- “() must make provision requiring information relating to different domestic supply contracts and tariff cap conditions to be communicated by holders of supply licences to their domestic customers in appropriate formats.”

Clause 7

BARONESS NEVILLE-ROLFE

BARONESS FEATHERSTONE

7 Page 5, line 3, leave out paragraphs (b) and (c)

8 Page 5, line 9, leave out paragraph (a)

Clause 8

BARONESS NEVILLE-ROLFE
BARONESS FEATHERSTONE

9 Page 5, line 20, leave out from “2020” to end of line 36

LORD GRANTCHESTER

10★ Leave out Clause 8 and insert the following new Clause –

“Termination of tariff cap conditions

- (1) The tariff cap conditions cease to have effect at the end of the year 2023 unless the Secretary of State exercises the power conferred by subsection (2).
- (2) The Secretary of State, if the statement published under section 7 is to the effect that the conditions are in place for effective competition for domestic supply contracts, may by regulations made by statutory instrument end the tariff cap conditions before 2023, in which case the tariff cap conditions cease to have effect at the end of the year in which the statutory instrument is made.
- (3) A statutory instrument containing regulations under subsection (2) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (4) On the tariff cap conditions ceasing to have effect as provided by this section, the functions of the Authority under section 1 cease to be exercisable.”

After Clause 8

LORD GRANTCHESTER

11★ Insert the following new Clause –

“Ongoing relative tariff differential

- (1) The Authority must, during the term of the tariff cap conditions being in place, develop, ready for implementation, a relative tariff differential.
- (2) A relative tariff differential is a requirement on supply licence holders that the difference between the cheapest advertised rate and the most expensive standard variable or default rate shall be no more than a specified proportion of the cheapest advertised rate.
- (3) The Authority is responsible for setting the proportion referred to in subsection (2).
- (4) The relative tariff differential takes effect on the termination of the tariff cap conditions.”

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25 June 2018
