



Department for
Business, Energy
& Industrial Strategy

BUSINESS IMPACT TARGET: SUMMARY

Non-qualifying Regulatory Provisions
(NQRPs) summary

Regulator: Office of Gas and Electricity Markets (Ofgem)

Business Impact Target Reporting Period Covered: 17th December 2021 – 16th December 2022

Excluded Category*	Summary of measure(s), including any impact data where available**
Measures certified as being below <i>de minimis</i> (measures with an EANDCB below +/- £5 million)	There are no measures for the reporting period that qualify under this exclusion category.
EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement	We published documents to reflect changes in EU regulations and did not include gold plating ¹ . These documents related to requirements under or changes to the (EU) 2019/243 (Electricity Regulation) and modifications to The Distribution Code to reflect the terms of the UK's departure from the EU.
Measures certified as concerning EU Withdrawal Bill operability measures	There are no measures for the reporting period that qualify under this exclusion category.
Pro-competition	We published documents relating to regulatory provisions that are intended to deliver, or to replicate, better competition-based outcomes in the energy market. This includes matters such as RIIO price controls, Market-Wide Half-Hourly Settlement (MHHS) and The Network Innovation Competition (NIC) which is designed to stimulate innovation in the GB energy networks.
Systemic Financial Risk	There are no measures for the reporting period that qualify under this exclusion category.
Civil Emergencies	There are no measures for the reporting period that qualify under this exclusion category.
Fines and Penalties	We published documents relating to compliance with, and late payments for, the Renewable Obligation.
Misuse of Drugs	There are no measures for the reporting period that qualify under this exclusion category.
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	There are no measures for the reporting period that qualify under this exclusion category.

¹ As per the Better Regulation Framework ([Better regulation framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/better-regulation-framework)), policy measures implementing EU directives, and other international commitments and obligations is also one of the administrative exclusions for the BIT (e.g. any policy measure implementing EU directives is not a QRP). However, the BIT exclusion for policy measures/decisions implementing EU directives, and other international commitments and obligations does not apply to decision/s which *go beyond the minimum necessary* to implement for instance an EU Obligation, decision, or directive. This is gold plating. Therefore, those elements of a measure that are classed as gold-plating count towards the BIT.

Excluded Category*	Summary of measure(s), including any impact data where available**
Casework	The majority of our publications concerned specific investigation and specific enforcement activity, and individual licence decisions. These documents mostly related to 1) the applications for, notice of, or revocation of individual licences, 2) the appointment of new suppliers, and 3) final orders. Other documents related to regulatory activities such as specific approval of individual charging and service statements, and methodologies.
Education, communications and promotion	There are no measures for the reporting period that qualify under this exclusion category.
Activity related to policy development	We published documents regarding our own policy development such as formal and informal consultations and ad hoc information requests. These related to matters including the default tariff cap, RIIO innovation funds and renewable schemes such as the Renewables Obligation (RO) and the Feed-In Tariffs (FIT).
Changes to management of regulator	There are no measures for the reporting period that qualify under this exclusion category.

* For detailed guidance on the exclusion categories, please see <https://www.gov.uk/government/publications/better-regulation-framework>