

To: All holders of an electricity supply licence

Electricity Act 1989

Section 11A(2)

Notice of statutory consultation on a proposal to modify the standard conditions of all electricity supply licences

1. The Gas and Electricity Markets Authority ('the Authority')¹ proposes to modify the standard conditions of all electricity supply licences granted or treated as granted under 6(1)(d) of the Electricity Act 1989 by amending licence condition 41 - Smart Metering Installation and Installation Code of Practice – Domestic Customers.
2. We are proposing this modification to enable energy suppliers and their smart meter installers to provide factual information about low carbon technologies, consumers with information about not just energy efficiency measures but also products that can support decarbonisation i.e. Low Carbon Technologies (LCTs) such as heat pumps and solar panels, during a smart meter installation visit.
3. A copy of the proposed modification and other documents referred to in this Notice have been published on our website (www.ofgem.gov.uk).
4. Any representations with respect to the proposed licence modification must be made on or before **22 October 2026** to: **Scott McPhillimy** by email to **smartmetering@ofgem.gov.uk**.
5. We prefer to receive responses in an electronic form so they can be placed easily on our website as we normally publish all responses on our website. However, if you do not wish your response to be made public then please clearly mark it as not for publication.
6. If we decide to make the proposed modification it will take effect not less than 56 days after the decision is published.

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Heather Stewart

¹ The terms "the Authority", "we" and "us" are used interchangeably in this document.

Deputy Director, Retail Smart Systems and Processes
Duly authorised on behalf of the Gas and Electricity Markets Authority

24 September 2026

Appendix 1 – Proposed modifications to the electricity supply licences

Any additions are shown as black double-underlined and any deletions are shown as black single strikethrough.

Condition 41: Smart Metering Installation and Installation Code of Practice – Domestic Customers

Application

- 41.1 This Condition applies only where the licensee supplies or offers to supply electricity to Domestic Premises.

The Objectives and the duty to achieve them

- 41.2 The objectives of this Condition (the Objectives) are to ensure that:
- (a) the licensee and any Representative provides and maintains a standard of service which helps to ensure that Domestic Customers' experience of the installation of Smart Metering Systems at their premises meets their reasonable expectations;
 - (b) all activities undertaken by the licensee and any Representative in relation to the installation of Smart Metering Systems are conducted in a fair, transparent, appropriate and professional manner;
 - (c) Domestic Customers are given information about, and during, the installation of Smart Metering Systems which:
 - (i) is complete and accurate;
 - (ii) does not mislead them; and
 - (iii) informs them about the benefits of Smart Metering Systems and about what to expect in relation to the installation process; and
 - (d) Domestic Customers are not subject to unwelcome Marketing during any visit to their premises for the purposes of installing Smart Metering Systems.
- 41.3 The licensee shall take all reasonable steps:
- (a) to secure the achievement of the Objectives; and
 - (b) to avoid doing anything which jeopardises its ability to achieve the Objectives.

The Domestic Installation Code

- 41.4 The steps that the licensee must take to secure the achievement of the Objectives include, without limitation, taking such steps and doing such things as are within its power to ensure the Retail Energy Code contains provisions to be known as the Domestic Installation Code of Practice (**Domestic Installation Code**):
- 41.5 (Not used)

Content of the Domestic Installation Code

- 41.6 The Domestic Installation Code must include provisions which set minimum standards of service for the installation, and activities relating to the installation, of Smart Metering Systems at Domestic Premises.
- 41.7 The Domestic Installation Code must include provisions which ensure that any costs that the licensee seeks to recover from Customers in relation to:
- (a) the provision, configuration, installation or operation of the Smart Metering System at Domestic Premises;
 - (b) the replacement, modification or reconfiguration of the Smart Metering System at Domestic Premises in accordance with the duty at paragraph 39.14 of Condition 39 (Smart Metering System – Roll-out, Installation and Maintenance); or
 - (c) the provision of a replacement In-Home Display at Domestic Premises in accordance with the duty at paragraph 40.7 or paragraph 40.9 of Condition 40 (Provision of an In-Home Display),
- may be recovered from a Domestic Customer only in the circumstances described in either paragraph 41.8 or 41.9.
- 41.8 The circumstances described in this paragraph are that costs are borne by the licensee's Domestic Customers generally as an increment of charges for electricity supplied to them.
- 41.9 The circumstances described in this paragraph are that:
- (a) the Smart Metering System installed at Domestic Premises exceeds the minimum requirements of every Version of the ESME Technical Specification or IHD Technical Specification which is within its Installation Validity Period and at the date of installation ('enhanced equipment');
 - (b) the Domestic Customer at the premises has first been given the option of having installed at his premises a Smart Metering System which does not exceed such the minimum requirements; and
 - (c) the Domestic Customer has, prior to the Smart Metering System being installed, expressly requested the installation of enhanced equipment.
- 41.10 The Domestic Installation Code must include provisions which will ensure that the licensee and its Representatives will:
- (a) not make any Sales Transaction during a visit to install a Smart Metering System at any Domestic Premises;

- (b) not undertake any Marketing during a visit to install a Smart Metering System unless the Domestic Customer has, in advance of the date of the installation visit, given his explicit consent to Marketing being undertaken during the installation visit; and
- (c) cease any Marketing being undertaken in compliance with sub-paragraph (b) immediately upon a request to do so made by the Domestic Customer or any member of his household.

41.10A Without prejudice to the requirements of paragraph 41.10, the Domestic Installation Code:

- (a) shall provide that the licensee and its Representatives may, during a visit to install a Smart Metering System and without the Domestic Customer having given explicit consent in advance of the installation visit, provide verbal advice and information to the Domestic Customer (or any member of their household) on the availability, energy efficiency, and costs and benefits, of low carbon technologies so long as any such information and advice does not involve specifying or recommending any brand or provider of low carbon technologies;
- (b) shall provide that, for the purposes of paragraph 41.10, the provision of advice and information in reliance of sub-paragraph (a) does not constitute Marketing;
- (c) shall, where it provides for the matters set out in sub-paragraph (a), provide that the provision of advice and information being given in compliance with sub-paragraph (a) cease immediately upon a request to do so by the Domestic Customer (or any member of their household).

- 41.11 The Domestic Installation Code must make provisions relating to the establishment and implementation of practices, procedures and arrangements by which the licensee and its Representatives will:
- (a) take all reasonable steps to ensure that no undue inconvenience is caused to Domestic Customers or other occupants of Domestic Premises as result of any visit made to Domestic Premises for the purposes of installing a Smart Metering System;
 - (b) provide for Domestic Customers to be given complete and accurate information and advice, which is in plain and intelligible language and which does not mislead them, about:
 - (i) the installation, purpose, features and advantages of Smart Metering Systems;
 - (ii) the use of Smart Metering Systems, including such information as will assist Domestic Customers to make informed judgments about the way

- in which they can improve the efficiency with which they use the electricity and/or gas supplied to them; and
 - (iii) sources from which Domestic Customers may obtain additional and impartial information or assistance about improving the efficiency with which they use the electricity and/or gas supplied to them;
 - (c) identify and meet the needs of specific Domestic Customer groups – including in particular Domestic Customers (or occupants of the Domestic Premises) who are of Pensionable Age, disabled or chronically sick – in relation to the installation (and provision of information relating to the installation) of Smart Metering Systems;
 - (d) notify Domestic Customers of the Domestic Installation Code, of the provisions set out in it and of the licensee’s obligations under it; and
 - (e) retain, and produce to the Authority when requested to do so, documentary evidence sufficient to demonstrate (where given) a Domestic Customer’s consent to Marketing being undertaken during the installation visit.
- 41.12 The Domestic Installation Code may make further provision in relation to any matters that are designed to secure the achievement of the Objectives.
- 41.13 The Domestic Installation Code may provide for particular provisions, as specified in it, not to apply in such cases or circumstances as are specified or described in the Domestic Installation Code.
- 41.14 (Not Used).

Consultation on the Domestic Installation Code

- 41.15 (Not Used).

Compliance with the Domestic Installation Code

- 41.16 The licensee must take such steps and do such things as are within its power to comply with the Domestic Installation Code.
- 41.17 The licensee must maintain a record of its performance against and compliance with the requirements of the Domestic Installation Code.

Review of the Domestic Installation Code

- 41.18 The licensee must from time to time:
- (a) take steps to obtain the views of Domestic Customers about the licensee’s and its Representatives’ activities and conduct relating to the installation of Smart Metering Systems; and
 - (b) together with all other licensed electricity and gas suppliers of Domestic Premises, review the Domestic Installation Code and the manner in which it has been operated with a view to determining, taking into account views received, whether any revisions should be made to it.
- 41.19 (Not used)..
- 41.20 (Not used).

The Office of Gas and Electricity Markets

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- 41.21 The licensee shall give, free of charge and as soon as practicable following the request, a copy of the most up-to-date approved or designated (as the case may be) Domestic Installation Code to any person that requests it.

Interpretation and Definitions

- 41.22 In this Condition, any reference to Smart Metering System shall be read as incorporating a reference to:
- (a) any part of that system; and
 - (b) an In-Home Display.
- 41.23 In this condition any reference to 'installation' shall be read:
- (a) in the context of a Smart Metering System, as incorporating a reference to the establishment of the HAN and the making of a connection to the SM WAN at Domestic Premises, and the words 'install', 'installed' and 'installing' shall be construed accordingly;
 - (b) in the context of an In-Home Display, as incorporating a reference to the provision of that In-Home Display, and the words 'install', 'installed' and 'installing' shall be construed accordingly.
- 41.24 For the purposes of this Condition:

Marketing

means any activities of the licensee or any of its Representatives that:

- (a) take place with the simultaneous physical presence of:
 - (i) the licensee or the Representative; and
 - (ii) a Domestic Customer or any member of his household; and
- (b) entail verbal communication with the Domestic Customer or any member of his household with the intention or effect of:
 - (i) promoting the provision by the licensee or any other named person of any goods and services; or
 - (ii) promoting the availability to the Domestic Customer or member of his household of any goods or services specifically designed for or tailored to his requirements,

but for these purposes:

- (a) 'promoting' shall be taken to exclude the activity of agreeing or arranging, at the request of the Domestic Customer or a member of his household, any further communication with that person, at a date later than the date of the installation visit, in relation to the provision by the licensee or any other named person of any goods or services; and
- (b) 'goods or services' shall be taken to exclude any goods or services which are to be provided free of charge.

Sales Transaction

means any transaction, whether in writing or otherwise, which involves a Domestic Customer or any member of his household:

- (a) paying a sum of money to any person in respect of the provision of goods or services; or
- (b) entering into a contract to pay a sum of money to any person in respect of the provision of goods or services.