


Notice under Section 23 (3) of the Gas Act 1986

The Gas and Electricity Markets Authority (“the Authority”) hereby gives notice pursuant to Section 23(3) of the Gas Act 1986 (“the Act”), as follows:

1. The Authority proposes to modify the Standard Licence Condition 46 of all gas suppliers licences granted or treated as granted under Section 7A(1)(a) of the Act by including new paragraphs 8(d), 15 and 16, as set out in the Annex to this Notice.
2. The reasons why the Authority propose to make this licence modification and its effect were published by the Authority in the following documents:
 - a. Testing domestic consumer take-up of energy services: trial suspension of 28 day rule, Consultation document, January 2004
 - b. Testing domestic consumer take-up of energy services: trial suspension of 28 day rule, Decision document, March 2004
3. In summary, the effect of the proposed licence modification referred to in paragraph 1 above is to allow Ofgem to issue a direction removing (in defined circumstances) the obligation on relevant licence holders to include in all domestic supply contracts a term allowing the domestic consumer to terminate the domestic supply contract by giving to the licensee a valid notice of termination (defined in standard licence condition 46.2 as a notice that is given at least 28 days in advance).
4. Relevant licence holders for the purposes of this Notice are all holders of a Gas Suppliers Licence at the relevant time with Standard Condition 46 in force.
5. A pro forma that relevant licence holders may wish to use in order to register a statutory objection is appended to this Notice.
6. Copies of the documents referred to in paragraph 2 are available free of charge from the Ofgem Library, 9 Millbank, London, SW1P 3GE (020 7901 7003) or on the Ofgem website (www.ofgem.gov.uk).
7. Any representations or objections with respect to the proposed licence modification may be made on or before 4 May 2004 and should be addressed

to Iain Osborne, Director of Consumer Markets, Ofgem, 9 Millbank, London, SW1P 3GE or iain.osborne@ofgem.gov.uk. All responses will normally be published on the Ofgem website and held electronically in the Ofgem Research and Information Centre unless they are marked confidential. Respondents should try to confine confidential information to the appendices of their responses. Ofgem would prefer to receive non-confidential responses and to receive responses in an electronic form. In any case, statutory objections cannot be confidential.



Steve Smith

Managing Director, Markets

Duly authorised on behalf of the Authority

31 March 2004

Annex

Proposed modification to Standard Condition 46 of the Gas Suppliers licence

Insert:

8. (d) the consumer is bound by the provisions of a contract with the licensee for the supply of gas at those premises which will neither expire nor, to the knowledge of the licensee, be terminated on or before the date of the proposed transfer, and that contract is of a kind specified in a direction issued by the Authority.
15. The Authority may issue a direction relieving the licensee of its obligations under paragraph 1 to such extent and subject to such terms and conditions as may be specified in the direction. The Authority may amend the direction from time to time.
16. Paragraphs 8(d) and 11 shall cease to have effect on 1 April 2006 (the "termination date") unless prior to the termination date the Authority issues a direction providing for the continuing effect of paragraphs 8(d) and 11. Any direction issued by the Authority under this paragraph may be subject to such terms and conditions as the Authority considers appropriate, and may be amended by the Authority from time to time.

Suggested pro forma to register a statutory objection

Proposed Modification of Standard Licence Condition 46 of the Gas Suppliers Licence

In response to the statutory notice dated [] in respect of the above proposed modification(s), this notice constitutes a statutory objection to that proposal on behalf of [state full name of each relevant licence holder making the objection]. I confirm that I am duly authorised to give this notice on behalf of each of the above named companies.

[Signed]

Date: []

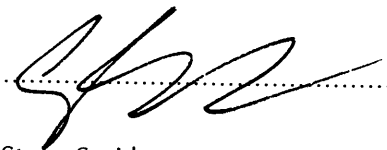
[Address for acknowledgement, preferably including email address]

Notice under Section 11 (1) of the Electricity Act 1989

The Gas and Electricity Markets Authority (“the Authority”) hereby gives notice pursuant to Section 11(2) of the Electricity Act 1989 (“the Act”), as follows:

1. The Authority proposes to modify the Standard Licence Condition 46 of all electricity supply licences granted or treated as granted under Section 6(1)(d) of the Act by adding new paragraphs 8 and 9 as set out in the Annex to this notice.
2. The reasons why the Authority propose to make this licence modification and its effect were published by the Authority in the following documents:
 - a. Testing domestic consumer take-up of energy services: trial suspension of 28 day rule, Consultation document, January 2004
 - b. Testing domestic consumer take-up of energy services: trial suspension of 28 day rule, Decision document, March 2004
3. In summary, the effect of the proposed licence modification referred to in paragraph 1 above is to allow Ofgem to issue a direction removing (in defined circumstances) the obligation on relevant licence holders to include in all domestic supply contracts a term allowing the domestic consumer to terminate the domestic supply contracts by giving to the licensee a valid notice of termination (defined in standard licence condition SLC 46.2 as a notice that is given at least 28 days in advance).
4. Relevant licence holders for the purposes of this Notice are all holders of a electricity supply licence at the relevant time with Standard Condition 46 in force.
5. A pro forma that relevant licence holders may wish to use in order to register a statutory objection is appended to this Notice.
6. Copies of the documents referred to in paragraph 2 are available free of charge from the Ofgem Library, 9 Millbank, London, SW1P 3GE (020 7901 7003) or on the Ofgem website (www.ofgem.gov.uk).
7. Any representations or objections with respect to the proposed licence modification may be made on or before 3 May 2004 and should be addressed

to Iain Osborne, Director of Consumer Markets, Ofgem, 9 Millbank, London, SW1P 3GE or iain.osborne@ofgem.gov.uk. All responses will normally be published on the Ofgem website and held electronically in the Ofgem Research and Information Centre unless they are marked confidential. Respondents should try to confine confidential information to the appendices of their responses. Ofgem would prefer to receive non-confidential responses and to receive responses in an electronic form. In any case, statutory objections cannot be confidential.



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Steve Smith

Managing Director, Markets

Duly authorised on behalf of the Authority

31 March 2004

Annex

Proposed modification to Standard Condition 46 of the Electricity Supply licence

Insert:

8. The Authority may issue a direction relieving the licensee of its obligations under paragraph 1 to such extent and subject to such terms and conditions as may be specified in the direction. The Authority may amend the direction from time to time.
9. Paragraph 8 shall cease to have effect on 1 April 2006 (the "termination date") unless prior to the termination date the Authority issues a direction providing for the continuing effect of paragraph 8. Any direction issued by the Authority under this paragraph may be subject to such terms and conditions as the Authority considers appropriate, and may be amended by the Authority from time to time.

Suggested pro forma to register a statutory objection

Proposed Modification of Standard Licence Condition 46 of the Electricity Supply Licence

In response to the statutory notice dated [] in respect of the above proposed modification(s), this notice constitutes a statutory objection to that proposal on behalf of [state full name of each relevant licence holder making the objection]. I confirm that I am duly authorised to give this notice on behalf of each of the above named companies.

[Signed]

Date: []

[Address for acknowledgement, preferably including email address]