

# Electric Ireland Deemed Gas Contract Scheme

In accordance with paragraph 1 Condition 2.1 of its Gas Supply Licence, Electric Ireland is required to make a scheme for determining the terms and conditions of its Deemed Contracts. The terms and conditions of this deemed contract scheme is provided in accordance with Section 12 of the Energy Act (Northern Ireland 2011).

## 1. BACKGROUND

- A. In accordance with Section 12 of the Energy Act (Northern Ireland) 2011 (the "Act"), Electric Ireland is required to provide for deemed contracts for supply of gas where a gas supplier supplies gas to any premises otherwise than pursuant to a contract.
- B. Section 12 of the Act requires each gas supplier to make a Scheme for determining the terms and conditions which are to be incorporated into the Deemed Contracts.

## 2. INTERPRETATION

Words and phrases in the Act, the Gas Regulations and/or the Terms and Conditions of Supply available on our website to this Scheme and not otherwise defined in this Scheme shall have the same meaning when used in this Scheme.

Where there is any inconsistency between any of the provisions of this Scheme, the Gas Regulations and the Terms and Conditions of Supply, the provisions of the Scheme shall prevail.

Nothing in this Scheme is intended:

- a) To qualify, limit or exclude any rights to which Electric Ireland or a Customer are entitled to enforce by virtue of any provision of the Gas Supply Licence or the Act, or shall be treated as having any such effect; or
- b) To go beyond or be incompatible with the purposes for which this Scheme may be made, or shall be treated as doing so.

## 3. DEFINITIONS

"Customer" means a domestic or nondomestic customer as within the meaning of the Gas Supply Licence;

"Deemed Contract" A contract between Electric Ireland and a Customer deemed to have been made

## 4. DEEMED CONTRACT SCHEME

1. Any Customer being supplied with gas by Electric Ireland other than in pursuance of a contract shall be deemed to have contracted with Electric Ireland for a supply of gas in accordance with this Scheme.
2. Customers the subject of a Deemed Contract agree to adhere to the provisions and obligations of the Scheme together with the Terms and Conditions of Supply. For a copy of the Terms and Conditions of Supply under a Deemed Contract please see [www.electricireland.com](http://www.electricireland.com) or contact our Customer Service Department to obtain a copy.
3. Any Deemed Contract will terminate automatically in the event that a Last Resort Supply Direction is given by the Utility Regulator to another Gas Supplier in relation to the premises supplied under that Deemed Contract.
4. Where a Customer is being supplied by Electric Ireland with gas under a Deemed Contract as a result of a Last Resort Supply Direction being issued in relation to this premises, paragraph 2.1.3 of the Gas Supply License shall not apply until that direction stops having effect.
5. Where a consumer intends his premises to be supplied with gas under a Contract agreed with Electric Ireland or any other gas supplier, the Deemed Contract will continue to have effect until Electric Ireland or the other gas supplier, as appropriate, begins to supply gas to the premises under such a Contract of supply.
6. Where Electric Ireland supplies gas to a consumer under a Deemed Contract, no termination fee or other compensation (whether financial or otherwise) will apply solely because the Deemed Contract is terminated (by whatever means) Notwithstanding the foregoing the Customer will remain liable for any consumption or charges outstanding at the premises under the Deemed Contract until such charges are fully discharged
7. Where Electric Ireland supplies gas to a customer's premises under a Deemed Contract, all reasonable steps will be taken to:
  - a) provide that customer with a notice confirming that the customer's premises is being supplied under a deemed contract:
    - I. setting out the Principal Terms of the Deemed Contract together with terms applicable to the scheme;
    - II. a) informing the customer that Contracts with terms and conditions that may be different from the terms and conditions of Deemed Contracts may be available from Electric Ireland and of how further information about such terms may be obtained; and
  - b) enter into a Contract with the customer as soon as reasonably practicable.
8. Electric Ireland will provide a copy of the deemed contract on request to that customer within a reasonable period of time after receiving the request.
9. Electric Ireland shall, in determining the number of kilowatt hours of gas that are to be treated as supplied to or taken at premises under a Deemed Contract, act reasonably and take into account available gas consumption data for the premises and any other relevant factor.
10. This Scheme shall commence and take effect from the date that a premise is supplied gas by Electric Ireland other than in pursuance of a contract. The relevant tariff/ charges applicable to a Deemed Contract may be found by contacting our Customer Service Department by telephone on 0345 600 5335.

11. This Scheme is governed by the laws of Northern Ireland, and the courts of Northern Ireland shall have exclusive jurisdiction in relation to this Scheme.