

THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION
NOTICE UNDER ARTICLE 14(2) OF THE GAS (NORTHERN IRELAND) ORDER
1996 (AS AMENDED)

MODIFICATIONS PROPOSED TO LICENCES TO SUPPLY GAS

The Northern Ireland Authority for Utility Regulation (the **Authority**) proposes to modify the conditions of all gas supply licences in exercise of its powers under Article 14(1) of the Gas (Northern Ireland) Order 1996 (the **Order**).

In accordance with Article 14(2) of the Order the Authority gives notice as follows:

- 1 The Authority proposes to make modifications to the gas supply licence (the **Licence**), granted or treated as granted under Article 8(1)(c) of the Order, held by each company (each the **Licensee**) listed in the table below:

	Name and Registered Number of Company (the Licensee)
1	SSE Airtricity Gas Supply (NI) Ltd – NI032810
2	Firmus energy (Supply) Ltd - Ten Towns - 05369108
3	Firmus energy (Supply) Ltd - Greater Belfast Area - 05369108
4	Flogas Enterprise Solutions Limited - 07232701
5	ESB Independent Energy (NI) Ltd t/a Electric Ireland - 252609
6	LCC Group Ltd t/a Go Power – NI031142
7	Flogas Natural Gas Limited- NI622648
8	Energia Customer Solutions NI Limited – NI035800
9	Power NI Energy Limited – NI027394
10	SSE Airtricity Gas Supply (NI) Ltd – NI032810
11	SSE Energy Supply Limited - 03757502
12	Shell Energy Europe Limited - 04162523
13	Viridian Energy Limited - 306035
14	Bord Gais Energy Ltd - 463078
15	AES Ballylumford Limited – NI026040
16	British Gas Trading Limited - 03078711
17	Coolkeeragh ESB Limited – NI042138
18	ElectroRoute Energy Trading Limited - 497188
19	Electricity Supply Board (ESB)
20	EP NI Energy Limited – NI667118
21	EP Commodities, a.s. - 03437680
22	Ceres Energy Limited - 06490828

- 2 The proposed modifications are to the conditions of the Licence as further discussed and explained in the paper entitled 'Third Party Intermediaries in the Energy Market' as published by the Authority on the same date as this notice (the **Position Paper**).

- 3 This statutory consultation on the Authority's proposed licence modifications follows the Authority's consideration of responses received to the consultation published on 14 August 2025 and entitled 'Third Party Intermediaries in the Energy Market – Consultation Paper' (the **Consultation Paper**).
- 4 The proposed modifications are to:
- (a) include (in alphabetical order) four new definitions in Condition 1.1.6 of the Licence;
 - (b) amend an existing definition in Condition 1.1.6 of the Licence;
 - (c) amend an existing provision in Condition 2.18 of the Licence; and
 - (d) include in the Licence a new condition (Condition 2.19C: Non-Domestic Consumers - Information on Third Party Intermediary Costs),
- in each case as described and set out in schedule 1 below.
- 5 The actual text of the proposed modifications is set out in schedule 1 to the notice below ("**schedule 1**"). The original licence text that is being retained is in black font, any new text is in red font and any original text that is being removed is in red font and strikethrough.
- 6 The effects of the proposed modifications will be to:
- (a) require the Licensee to explain and draw, before entering into or concluding a Contract with a Non-Domestic Consumer, the Principal Terms of the Contract to the attention of the Non-Domestic Consumer;
 - (b) expand the existing definition (in Condition 1.1.6 of the Licence) of Principal Terms so that it includes, for the purposes of its application in respect of Non-Domestic Contracts, any Third Party Intermediary Costs (as defined in the new definition proposed to be included in Condition 1.1.6);
 - (c) require the Licensee to provide any applicable Third Party Intermediary Costs information to a Non-Domestic Consumer on request and in clear easy to understand language; and
 - (d) ensure that Third Party Intermediary Costs information is detailed in a consistent structure and manner by all licensees.
- 7 The reasons why the Authority proposes to modify the Licence are as follows (see further paragraphs 2.56 to 2.87 of the Position Paper):

- (a) the Authority considers it fundamental for Non-Domestic Consumers to have access to clear and transparent price information in order to enable them to engage meaningfully in the competitive supply market,
- (b) providing that Third Party Intermediary Costs are a Principal Term of a Non-Domestic Contract increases transparency and awareness around the fees and costs being applied and ensures that Non-Domestic Consumers know about such costs at the point when they are considering entering into a new contract, so that they can make a fully evaluated decision when entering into gas supply contracts,
- (c) to ensure there is consistency in the granularity of the information to be provided by mandating the inclusion of both the total amount and the cost per unit and/or standing charge (as applicable) as this facilitates comparability by consumers of potentially applicable Third Party Intermediary Costs and reduces the risk of misrepresentation and/or consumer misunderstanding.

8 The modifications are proposed to take effect on 16th November 2026.

9 Representations or objections with respect to any or all of the proposed modifications to any Licence may be made on or before 5pm on 15th June 2026 by writing to or e-mailing:

Non-domestic Consumer Protection Team
Utility Regulator
1st Floor Millennium House
Great Victoria St
Belfast BT2 7AQ
Email: NonDomesticConsumers@uregni.gov.uk

10 The Authority has, in accordance with Article 14(4) of the Order, sent a copy of this notice to the Licensees, the Department for the Economy and the General Consumer Council.

Dated this 14th day of May 2026



John French

For and on behalf of the Northern Ireland Authority for Utility Regulation

SCHEDULE 1 – THE PROPOSED MODIFICATIONS

Proposed Modification to Condition 1.1 (Interpretation and Construction) of the Licence

The following new definitions to be inserted in alphabetical order in Condition 1.1.6 of the Licence –

Non-Domestic Consumer has the meaning given to it in Condition 2.1;

Non-Domestic Contract means a Contract for the supply of gas made between the Licensee and a Non-Domestic Consumer;

Third Party Intermediary means a third party organisation or individual that, either on its own or through arrangements with other organisations or individuals, provides information and/or advice to a Non-Domestic Consumer about the Licensee's charges for the supply of gas and/or other terms and conditions of a Contract and whose payment or other consideration for doing so is made or processed by the Licensee;

Third Party Intermediary Costs means any fee, commission or other consideration (including a benefit of any kind) processed by the Licensee and paid or made, or due to be paid or made, to the Third Party Intermediary in respect of a Non-Domestic Contract which is directly or indirectly passed on to, and recovered by the Licensee from, the Non-Domestic Consumer; and

The existing definition of Subsidiary to be amended as shown in red font –

Subsidiary

has the same meaning as given to it in section 1159 of the Companies Act 2006, ~~and~~

The existing definition of Principal Terms to be amended as shown in red font –

Principal Terms

means in respect of any Contract or Deemed Contract, the terms and conditions that relate to:

- (i) the duration of the Contract or Deemed Contract;
- (ii) the charges for the supply of gas, including the applicable tariff and the unit rate, expressed in “pence per kWh” of the applicable tariff;
- (iii) any requirement to pay charges for the supply of gas through a prepayment meter;
- (iv) any requirement for a Security Deposit;
- (v) the termination of the Contract (including any requirement to pay a termination fee) or the circumstances in which the Deemed Contract will terminate,

(vi) in respect of a Non-Domestic Contract, any applicable Third Party Intermediary Costs,

and any other term or condition that may reasonably be considered to significantly affect the evaluation by the consumer of the Contract;

Condition 2.18: Terms and Conditions of Gas Supply Contracts

Proposed changes to paragraph 2.18.4 of Condition 2.18

2.18.4. Before entering into or concluding a Contract with ~~any domestic consumer, the Licensee shall:~~

- (a) ~~any consumer, the Licensee must~~ explain to and draw to the attention of the ~~domestic~~ consumer, the Principal Terms of the Contract; and
- (b) ~~any domestic consumer, the Licensee must:~~
 - ~~(b)~~(i) inform the domestic consumer of the Energy Consumer Checklist and of the sources from where the consumer can obtain a copy;
 - ~~(e)~~(ii) provide a copy of the Energy Consumer Checklist free of charge to any domestic consumer requesting it; and
 - ~~(d)~~(iii) give the domestic consumer a written copy of the full terms and conditions of the Contract, including without limitation all the information referred to in paragraph 2.18.7.

Proposed New Condition 2.19C

Condition 2.19C: Non-Domestic Consumers - Information on Third Party Intermediary Costs

- 2.19C.1. Without prejudice to paragraph 2.18.4(a) of Condition 2.18, the Licensee must, upon request made by a Non-Domestic Consumer, provide the consumer information on the Third Party Intermediary Costs applicable to the consumer's Non-Domestic Contract.
- 2.19C.2. The Licensee must ensure that where it provides or explains to, or draws to the attention of, a Non-Domestic Consumer the Third Party Intermediary Costs applicable to the consumer's Non-Domestic Contract:
- (a) where the Third Party Intermediary Costs are determined at the time they are required to be given to the Non-Domestic Consumer they include:
 - (i) the total sum (expressed in GBP) of the relevant costs applicable for the duration of the Non-Domestic Contract;
 - (ii) where any Third Party Intermediary Costs are included within the unit price of gas, the amount included within each unit price of gas (expressed in "pence per kWh"); and
 - (iii) where any Third Party Intermediary Costs are included within any applicable periodic standing charge, the amount included within each such periodic standing charge;
 - (b) where the Third Party Intermediary Costs are indetermined at the time they are required to be given to the Non-Domestic Consumer they are expressed in accordance with paragraph (a) on the basis of a reasonable estimate based on forecast information available to the Licensee at that time; and
 - (c) all information given to the Non-Domestic Consumer on Third Party Intermediary Costs is in clear, transparent and easy to read and understand language.

2.19C.3. Nothing in this Condition 2.19C requires the Licensee to include information on Third Party Intermediary Costs on any bill, statement, or other communication required to be sent to a Non-Domestic Consumer pursuant to Condition 2.19.