

Condition 12. Matters relating to Gas Meters

Connection of Gas Meter to service pipe

12.1 Paragraphs 12.2 to 12.4 apply where the licensee is, or is about to become, the Relevant Gas Supplier and:

- (a) further to arrangements made by the licensee, a Gas Meter is connected to a service pipe through which gas is conveyed to a premises by a person who is not an approved Meter Installer; or
- (b) the licensee receives:
 - (i) notice of, or information relating to, a proposed connection under sub-paragraph 12(1) or 12(3) of Schedule 2B to the Act; or
 - (ii) a copy of a notice or information in relation to a proposed connection which has been received by the Relevant Gas Transporter, or the person who is about to become the Relevant Gas Transporter, under sub-paragraph 12(1) or 12(3) of Schedule 2B to the Act,

and the notice or information does not state that the connection will be, or has been, made by an approved Meter Installer.

12.2 The licensee must take all reasonable steps to ensure that an approved Meter Installer inspects any connection of the kind mentioned in paragraph 12.1.

12.3 An inspection under paragraph 12.2 must be carried out no later than 20 Working Days after:

- (a) the date on which the connection mentioned in sub-paragraph 12.1(a) is made; or
- (b) the date of the connection specified in any notice or information of the kind mentioned in sub-paragraph 12.1(b).

12.4 If, following an inspection under paragraph 12.2, the approved Meter Installer finds the connection to be unsatisfactory, the licensee must take all reasonable steps to ensure that an approved Meter Installer carries out any appropriate remedial work.

Examination of Gas Meters

- 12.5 The licensee must, on request from any of its Customers, remove a Gas Meter through which that Customer takes a supply of gas in order for it to be examined by a meter examiner in accordance with section 17 of the Act.
- 12.6 Paragraph 12.5 does not apply in relation to a Gas Meter through which gas is supplied to Secondary Premises unless the Customer making the request agrees that, if the meter is found to be in proper order within the meaning of sub-paragraph 3(7) of Schedule 2B to the Act, then he will bear the expenses incurred in removing, examining and re-installing the meter and in fixing a substitute meter under paragraph 12.7.
- 12.7 The licensee must, while a meter which registers the supply of gas to Secondary Premises is removed in accordance with paragraph 12.5, fix a substitute meter on the premises.
- 12.8 Not Used
- 12.9 Not Used
- 12.10 Not Used
- 12.11 Not Used
- 12.12 Not Used
- 12.13 Not Used
- 12.14 Not Used
- 12.15 Not Used
- 12.16 Not Used

Application of provisions of Act

- 12.17 The licensee must, if it supplies gas through a Gas Meter to Secondary Premises, take all reasonable steps to secure by Contract that the provisions of paragraph 4 of Schedule 2B to the Act (which provide for the register of the meter to be sufficient evidence of the quantity of gas supplied) apply in respect of that meter.

Use of approved Meter Asset Manager

12.18 Where, in respect of any Domestic Premises at which it is the Relevant Gas Supplier, the licensee arranges for the provision of a Gas Meter, it must use an approved Meter Asset Manager.

Use of an approved Meter Installer

12.19 In this condition, a reference to an approved Meter Installer is to a Meter Installer approved in accordance with the Supply Point Administration Agreement.

Advanced meters for Non-Domestic Premises

12.20 This paragraph has effect on and after 6 April 2009 and applies where the licensee installs or arranges for the installation of a Gas Meter at Non-Domestic Premises at a metering point at which the measured annual consumption of gas is more than 732,000 kWh (for this condition only “relevant premises”).

12.21 If paragraph 12.20 applies, the Gas meter installed at the relevant premises must be an advanced meter.

12.22 For the purposes of this condition, an advanced meter is a Gas Meter that, either on its own or with an ancillary device, and in compliance with the requirements of any relevant Industry Document:

- (a) Provides measured gas consumption data for multiple time periods, and is able to provide such data for at least hourly time-periods; and
- (b) Is able to provide the licensee with remote access to such data.

12.23 The licensee must ensure that a Customer supplied with gas at relevant premises through an advanced meter, or that Customer’s nominated agent, has timely access, on request, to the data provided by that meter.

12.23A The requirements of paragraph 12.23 cease to apply in respect of any relevant premises from the date that Part B2 of standard condition 45 (Smart Metering – Customer Access to Consumption Data) applies in respect of such premises.

12.24 As from 6 April 2014, the licensee must not supply gas to any relevant premises other than through an advanced meter.

12.25 The prohibition imposed by paragraph 12.24 does not apply where the licensee is unable to install or arrange for the installation of an advanced meter at the relevant premises in question despite taking all reasonable steps to do so.

Advanced meters – Designated Premises

12.26 This paragraph has effect on and after 6 April 2014 and applies where the licensee installs or arranges for the installation of a Large Gas Meter at any Designated Premises.

12.27 If paragraph 12.26 applies, the Large Gas Meter installed or arranged to be installed at the Designated Premises must be an advanced meter.

Advanced meters – Domestic Premises

12.28 This paragraph has effect from the date specified by the Secretary of State in a direction issued to the licensee under this paragraph and applies where the licensee installs or arranges for the installation of a Large Gas Meter at any Domestic Premises.

12.29 If paragraph 12.28 applies, the Large Gas Meter installed or arranged to be installed at the Domestic Premises must be an advanced meter.

Large Gas Meters from 2021

12.30 After the ARS Specified Date, the licensee must not supply gas to any Designated Premises or Domestic Premises through a Large Gas Meter which is not also an advanced meter.

Customer Access to Data

12.31 The licensee must ensure that a Customer supplied with gas at Designated Premises or Domestic Premises through an advanced meter, or that Customer's nominated agent, has timely access, on request, to the data provided by that meter.

12.31A The requirements of paragraph 12.31 cease to apply in respect of any Designated Premises from the date that Part B2 of standard condition 45 (Smart Metering – Customer Access to Consumption Data) applies in respect of such premises.

Exception

12.32 The prohibition imposed by paragraph 12.30 does not apply where the licensee is unable to install or arrange for the installation of an advanced meter at the Designated Premises or Domestic Premises in question despite taking all reasonable steps to do so.

Condition 41: Smart Metering — Matters Relating To Obtaining and Using Consumption Data

Application

41.1 Part A of this condition applies only in respect of each Domestic Premises (the **relevant premises**):

- (a) to which gas is supplied through a Gas Meter which forms part of a Smart Metering System; or
- (b) to which gas is supplied through a Remote Access Meter; and
- (c) in respect of which the quantity of gas supplied is measured by that Gas Meter.

41.2 Part B of this condition applies only in respect of each Designated Premises at which the Customer is a Micro Business Consumer (the **micro business premises**):

- (a) to which gas is supplied through a Gas Meter which forms part of a Smart Metering System; or
- (b) to which gas is supplied through a Remote Access Meter; and
- (c) in respect of which the quantity of gas supplied is measured by that Gas Meter.

PART A. APPLICATION TO RELEVANT PREMISES

Prohibition on obtaining consumption data

41.3 Subject to paragraphs 41.4 and 41.7, the licensee must not, in respect of any relevant premises, obtain any Gas Consumption Data which relates to a period of less than one month.

Exception to Prohibition — Obtaining consumption data for periods of less than one month

41.4 Paragraph 41.3 does not apply where:

- (a) the Gas Consumption Data that is obtained relates to a period of less than one month but not less than one day; and
- (b) the requirements of either paragraph 41.5 or 41.6 are satisfied.

41.5 The requirements of this paragraph are that:

- (a) the licensee has given Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:
 - (i) that the licensee intends to obtain Gas Consumption Data which relates to any one or more periods of a length referred to in paragraph 41.4(a);
 - (ii) of the purposes (which purposes must not include Marketing) for which the licensee may use that Gas Consumption Data; and
 - (iii) that the Domestic Customer may at any time object to the licensee obtaining that Gas Consumption Data and of the process by which he may do so; and
- (b) the Domestic Customer has either:
 - (i) given explicit consent to the licensee obtaining that Gas Consumption Data for the purposes set out in the Notice (and such consent has not been withdrawn);
or
 - (ii) after at least seven days have elapsed from the date on which the Notice was given to him, not objected to the licensee obtaining that Gas Consumption Data for the purposes set out in the Notice.

41.6 The requirements of this paragraph are that one of the following applies:

- (a) the licensee has reasonable grounds to suspect that there is an occurrence of theft of gas at the relevant premises, and it obtains Gas Consumption Data which relates to any one or more periods of a length referred to in paragraph 41.4(a) only for the purposes of investigating that suspected theft;
- (b) the licensee obtains the Gas Consumption Data which relates to a single period of a length referred to in paragraph 41.4(a) only for the purposes of:
 - (i) verifying the quantity of gas supplied to the relevant premises since the last date in respect of which the licensee obtained Gas Consumption Data that was used for the purposes of sending a Bill or a statement of account to the Domestic Customer (the **Billing Date**); and
 - (ii) calculating and sending an accurate and up to date Bill or statement of account (including a final Bill or statement of account) to the Domestic Customer in

respect of the Charges for the Supply of Gas to the relevant premises since the Billing Date;

- (c) the licensee obtains the Gas Consumption Data which relates to any one or more periods of a length referred to in paragraph 41.4(a) only for the purposes of responding to an enquiry from or a complaint made by, or on behalf of, the Domestic Customer at the relevant premises and relating to the supply of gas by the licensee to the relevant premises;
- (d) the licensee obtains Gas Consumption Data which relates to any one or more periods of a length referred to in paragraph 41.4(a), only following receipt of a request of the type referred to in, and for the purposes of complying with the requirements of, paragraph 45.83(b) of standard condition 45 (Smart Metering – Customer Access to Consumption Data); or
- (e) the Gas Meter forming part of the Smart Metering System or Remote Access Meter at the relevant premises is a Prepayment Meter, and the Gas Consumption Data:
 - (i) is obtained only by virtue of the Remote Access Meter or Smart Metering System registering an advance payment made by the Domestic Customer through that Prepayment Meter; and
 - (ii) relates to a single period of a length referred to in paragraph 41.4(a) which corresponds to the period since the previous advance payment made by the Domestic Customer through that Prepayment Meter.

Exception to Prohibition — Obtaining consumption data for periods of less than a day

41.7 Paragraph 41.3 does not apply where:

- (a) the Gas Consumption Data that is obtained relates to a period of less than one day; and
- (b) the requirements of either paragraph 41.8 or 41.9 are satisfied.

41.8 The requirements of this paragraph are that:

- (a) the licensee has given Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:

- (i) that the licensee intends to obtain Gas Consumption Data which relates to any one or more periods of less than one day;
 - (ii) of the purposes for which the licensee may use that Gas Consumption Data;
 - (iii) that the licensee requires the Domestic Customer's consent to obtain that Gas Consumption Data; and
 - (iv) that where the Domestic Customer gives consent he may withdraw it at any time and of the process by which he may do so; and
- (b) the Domestic Customer has given his explicit consent to the licensee obtaining that Gas Consumption Data for the purposes set out in the Notice and such consent has not been withdrawn.

41.9 The requirements of this paragraph are that:

- (a) where:
 - (i) there is a Remote Access Meter and the Authority has approved the Trial; or
 - (ii) the Gas Meter forms part of a Smart Metering System and the Secretary of State has approved the Trial; and
- (b) the relevant premises fall within that category;
- (c) the licensee has given at least 14 days advance Notice to the Domestic Customer at the relevant premises informing the Domestic Customer:
 - (i) of the nature and purpose of the Trial;
 - (ii) that he may at any time object to being included in the Trial;
 - (iii) of the process by which the Domestic Customer may object; and
- (d) the Domestic Customer has not objected to being included in the Trial.

Prohibition on use of consumption data

41.10 Subject to paragraph 41.11, the licensee must not use Gas Consumption Data obtained in respect of any relevant premises other than for any of the following purposes:

- (a) calculating and sending a Bill or a statement of account to the Domestic Customer;
- (b) complying with a relevant condition or a relevant requirement;
- (c) where the requirements of paragraph 41.5 are satisfied, the purpose set out in the Notice given to the Domestic Customer under paragraph 41.5(a);
- (d) where any of the requirements of paragraph 41.6 are satisfied, the purpose for which the data was obtained in accordance with paragraph 41.6;
- (e) where the requirements of paragraph 41.8 are satisfied, the purpose set out in the Notice given to the Domestic Customer under paragraph 41.8(a);
- (f) where the requirements of paragraph 41.9 are satisfied, the purpose of the Trial.

Exception to prohibition on use of consumption data

41.11 The licensee may use Gas Consumption Data for purposes other than the purposes specified in paragraph 41.10 where:

- (a) it has given at least seven days advance Notice informing the Domestic Customer that it intends to use Gas Consumption Data for the purposes specified in the Notice; and
- (b) the requirements of paragraph 41.12 are satisfied.

41.12 The requirements of this paragraph are that:

- (a) where the Gas Consumption Data relates to any period of less than one day, the Domestic Customer has given explicit consent for that Gas Consumption Data to be used for the purposes specified in the Notice;
- (b) where the Notice given under paragraph 41.11(a) specifies that the licensee intends to use Gas Consumption Data for Marketing, the Domestic Customer has given explicit consent for the Gas Consumption Data to be used for Marketing; and
- (c) in all other cases, the Domestic Customer has not objected to the Gas Consumption Data being used for the purposes specified in the Notice.

Maintaining records and informing customers

41.13 The licensee must, in respect of each of its Domestic Customers at relevant premises, at all times maintain an accurate and up to date record of:

- (a) the date of any Notice sent to the Domestic Customer under this condition and of the information contained in it;
- (b) the nature of the Domestic Customer's response (if any) to that Notice;
- (c) the time periods (by reference to length) in relation to which the licensee obtains or may obtain Gas Consumption Data; and
- (d) where the licensee obtains Gas Consumption Data by virtue of the requirements of paragraph 41.6(a) a statement setting out the reasons why such requirements are satisfied in the circumstances of the case.

41.14 The licensee must, in accordance with paragraph 41.15, inform the Domestic Customer in Writing of:

- (a) the time periods (by reference to length) in relation to which the licensee obtains or may obtain Gas Consumption Data;
- (b) the purposes for which that Gas Consumption Data is, or may be, used by the licensee; and
- (c) where any of the time periods is of less than one month, the Domestic Customer's right, if any, to object or withdraw consent (as the case may be) to the licensee obtaining or using (as the case may be) that Gas Consumption Data.

41.15 The licensee shall inform the Domestic Customer of the matters set out in paragraph 41.14:

- (a) where it installs or arranges for the installation of the Remote Access Meter or Smart Metering System at the Domestic Premises, on, or at any time during the 14 days prior to, the date of installation or as soon as reasonably practicable after the date of installation; and
- (b) in all cases, at such intervals as are determined appropriate by the licensee for the purposes of ensuring that the Domestic Customer is regularly updated of such matters.

PART B. MICRO BUSINESS PREMISES

Prohibition on obtaining consumption data

41.16 Subject to paragraph 41.17, the licensee must not, in respect of any micro business premises, obtain any Gas Consumption Data which relates to a period of less than one month.

Exception to prohibition on obtaining consumption data

41.17 Paragraph 41.16 does not apply where the requirements of paragraphs 41.17A, ~~or~~ 41.17B or 41.17C are satisfied.

41.17A The requirements of this paragraph are:

- (a) the licensee has given at least seven days advance Notice to the Micro Business Consumer at the micro business premises informing the Micro Business Consumer:
 - (i) that the licensee intends to obtain Gas Consumption Data which relates to any one or more periods of less than one month;
 - (ii) of the purposes for which the licensee may use that Gas Consumption Data; and
 - (iii) that the Micro Business Consumer may at any time object to the licensee obtaining that Gas Consumption Data and of the process by which he may do so; and
- (b)
 - (i) the Micro Business Consumer has not objected to the licensee obtaining that Gas Consumption Data for the purposes set out in the Notice; or
 - (ii) the Micro Business Consumer has objected to the licensee obtaining Gas Consumption data, which relates to any one or more periods of less than one month and the licensee is unable to remotely configure the Remote Access Meter to prevent that Gas Consumption Data being automatically sent to the licensee or a third party, but as soon as reasonably practicable the licensee:
 - (1) takes all reasonable steps to prevent the third party passing that Gas Consumption Data to the licensee or any other third party;
 - (2) takes all reasonable steps to ensure the third party permanently erases that Gas Consumption Data; and
 - (3) permanently erases any of that Gas Consumption Data it has obtained.

41.17B The requirements of this paragraph are that the Gas Consumption Data that is obtained relates to a period of less than one month but not less than one day, and that one of the following applies:

- (a) the licensee has reasonable grounds to suspect that there is an occurrence of theft or abstraction of gas at the micro business premises, and it obtains Gas Consumption Data which relates to any one or more periods of a length referred to in this paragraph 41.17B only for the purposes of investigating that suspected theft or abstraction;
- (b) the licensee obtains Gas Consumption Data which relates to a single period of a length referred to in this paragraph 41.17B only for the purposes of:
 - (i) verifying the quantity of gas supplied to the micro business premises since the last date in respect of which the licensee obtained Gas Consumption Data that was used for the purposes of sending a Bill or a statement of account to the Micro Business Consumer (the **Billing Date**); and
 - (ii) calculating and sending an accurate and up to date Bill or statement of account (including a final Bill or statement of account) to the Micro Business Consumer in respect of the Charges for the Supply of Gas to the micro business premises since the Billing Date;
- (c) the licensee obtains Gas Consumption Data which relates to any one or more periods of a length referred to in this paragraph 41.17B only for the purposes of responding to an enquiry from or a complaint made by, or on behalf of, the Micro Business Consumer at the micro business premises and relating to the supply of gas by the licensee to the micro business premises; or
- ~~(d) the licensee obtains Gas Consumption Data which relates to any one or more periods of a length referred to in this paragraph 41.17B only following receipt of a request of the type referred to in, and for the purposes of complying with the requirement of, paragraph 45.8 of standard condition 45 (Smart Metering – Customer Access to Consumption Data); or~~
- ~~(e)~~(d) the Gas Meter forming part of the Smart Metering System or Remote Access Meter at the micro business premises is a Prepayment Meter, and the Gas Consumption Data:

- (i) is obtained only by virtue of the Remote Access Meter or Smart Metering System registering an advance payment made by the Micro Business Consumer through that Prepayment Meter; and
- (ii) relates to a single period of a length referred to in this paragraph 41.17B which corresponds to the period since the previous advance payment made by the Micro Business Consumer through that Prepayment Meter.

41.17C The requirements of this paragraph are that the licensee obtains Gas Consumption Data which relates to any one or more periods of less than one month following receipt of a request of the type referred to in, and for the purposes of complying with the requirements of, paragraph 45.17 of standard condition 45 (Smart Metering – Customer Access to Consumption Data).

Use of consumption data

41.18 The licensee must not use Gas Consumption Data obtained in respect of any micro business premises other than for any of the following purposes:

- (a) calculating and sending a Bill or a statement of account to the Micro Business Consumer;
- (b) complying with a relevant condition or a relevant requirement;
- (c) where the requirements of paragraph 41.17A are satisfied, the purpose set out in the Notice given to the Micro Business Consumer under paragraph 41.17A(a);
- (d) where any of the requirements of paragraph 41.17B are satisfied, the purpose for which the data was obtained in accordance with paragraph 41.17B.

Interpretation and Definitions

41.19 In this condition, any reference:

- (a) to Gas Consumption Data being 'obtained' by the licensee shall be read as incorporating a reference to the licensee requesting any other person to obtain that Gas Consumption Data on its behalf (and references to 'obtain' and 'obtaining' shall be construed accordingly);
- (b) to the licensee obtaining Gas Consumption Data which 'relates to' a specified period, shall be read as incorporating a reference to the licensee obtaining any data which would

allow it to calculate Gas Consumption Data in respect of that period (and references to Gas Consumption Data being 'in relation to' a period of time shall be construed accordingly).

41.20 For the purposes of this condition:

Gas Consumption Data

means, in respect of a relevant premises or a micro business premises, the quantity of gas measured by the Gas Meter as having been supplied to the relevant premises or the micro business premises.

Marketing

means:

- (a) any activities of the licensee or its Representatives which are directed at or incidental to identifying and communicating with Domestic Customers for the purpose of promoting the provision of goods or services by any person and includes entering into contracts for the provision of goods or services with such customers;
- (b) the licensee or its representatives disclosing Gas Consumption Data to any other person for the purposes of that person undertaking activities which are directed at or incidental to identifying and communicating with Domestic Customers for the purpose of promoting the provision of goods or services by any person, including the entering into contracts for the provision of goods or services with such customers,

but for these purposes 'goods or services' shall be taken to exclude the supply of gas by the licensee.

Micro Business Consumer has the meaning given to it in standard condition 7A (Supply to Micro Business Consumers).

Remote Access Meter means a Gas Meter that, either on its own or with an ancillary device:

- (a) provides measured Gas Consumption Data for multiple time periods and is able to provide such data for periods of less than one month;
- (b) is able to provide the licensee with remote access to such data; and
- (c) is not a Smart Metering System or part of a Smart Metering System.

Trial means proposals submitted by the licensee for obtaining Gas Consumption Data which relates to any one or more periods of less than one day, in respect of a particular category of relevant premises and for a particular purpose (in each case as specified in the proposal), on a trial basis.

Condition 45: Smart Metering – Customer Access to Consumption Data

Application

45.1 Parts A and C of this Condition apply to the licensee in respect of any Domestic Premises at which:

- (a) it is the Relevant Gas Supplier; and
- (b) there is installed a Smart Metering System,

(the relevant premises).

45.2 Parts B₁ and C of this Condition apply to the licensee in respect of any Designated Premises and (to the extent to which they are not Designated Premises) any Micro Business Premises at which:

- (a) it is the Relevant Gas Supplier; and
- (b) there is installed a Smart Metering System,

(the relevant designated or micro business premises).

45.3 Parts B₂ and C of this Condition apply to the licensee in respect of any Non-Domestic Premises at which:

- (a) it is the Relevant Gas Supplier; and
- (b) there is installed a Smart Metering System or an Advanced Meter,

(the relevant non-domestic premises).

45.4 Parts B₃ and C of this Condition apply to the licensee in respect of any Designated Premises at which:

- (a) it is the Relevant Gas Supplier; and
- (b) there is installed a Smart Metering System or an Advanced Meter,

(the relevant designated premises).

45.5 Part B₁ of this Condition ceases to apply from the date Part B₂ applies.

45.6 Part B2 of this Condition applies from 1 December 2022 or such later date as may be specified in a direction given to the licensee by the Secretary of State pursuant to this paragraph 45.6.

45.7 Part B3 of this Condition applies from 1 October 2024 or such later date as may be specified in a direction given to the licensee by the Secretary of State pursuant to this paragraph 45.7.

PART A - OBLIGATIONS IN RESPECT OF RELEVANT PREMISES

Access to Relevant Consumption Data

45.345.8 In respect of each relevant premises, the licensee must:

- (a) within a reasonable period of time after the Effective Date, notify the Domestic Customer at the premises that the licensee can, if requested, make available Relevant Consumption Data such that it can be accessed by the Domestic Customer in accordance with paragraph (b) below; and
- (b) as soon as is reasonably practicable after receiving any request to do so from the Domestic Customer at those premises, make available (free of charge and in a readily understandable format) Relevant Consumption Data such that it can be accessed, at any time, by the Domestic Customer via:
 - (i) the internet; or
 - (ii) where the licensee does not provide access via the internet, a Consumer Device provided, free of charge, by the licensee to the Domestic Customer for the purposes of meeting the Domestic Customer's request.

45.445.9 The requirements of paragraph 45.~~83~~ are subject to paragraph 45.~~127~~.

Retention of Consumption Data

45.545.10 Paragraph 45.~~116~~ applies where:

- (a) the licensee makes available Relevant Consumption Data such that it can be accessed by the Domestic Customer in accordance with paragraph 45.~~83~~(b); and
- (b) the Smart Metering System (or any part of it) at the relevant premises does not retain consumption data for the Relevant Period.

45.645.11 Where this paragraph applies:

- (a) the licensee must establish arrangements which enable consumption data to be retained for the Relevant Period; and
- (b) until such date as consumption data is retained for the Relevant Period, the reference to 24 months in the definition of Relevant Consumption Data shall be construed as a reference to the period for which consumption data is retained.

Exception

45.745.12 The requirements in paragraph 45.~~83~~ do not apply:

- (a) where:
 - (i) either:
 - (A) the Smart Metering System at the relevant premises was not installed or arranged to be installed by the licensee; or
 - (B) the licensee replaces any apparatus forming part of the Smart Metering System pursuant to paragraph 44.9 of standard condition 44 (Smart Metering – Continuation of Arrangements on Change of Supplier); and
 - (ii) a connection that enables the exchange of information between the Smart Metering System and the licensee's Communications System has not at any time been established (whether directly to the licensee's Communications System or indirectly through the DCC's Communications System); or
- (b) where:
 - (i) the Smart Metering System at the relevant premises was installed or arranged to be installed by the licensee; and
 - (ii) the obligations in paragraph 43.4 of standard condition 43 (Smart Metering Systems and In-Home Displays – Operational Requirements) do not apply in respect of the relevant premises by virtue of the exception at either paragraph 43.8 or paragraph 43.13 of that standard condition.

PART B1 – OBLIGATIONS IN RESPECT OF RELEVANT DESIGNATED OR MICRO BUSINESS PREMISES

~~45.8~~45.13 In respect of each relevant designated or micro business premises, the licensee must, on request of the Customer at the premises, ensure that the Customer or that Customer’s nominated agent has timely access to the hourly consumption data which is held by or stored in the Smart Metering System at such premises.

~~45.9~~45.14 In the case of Smart Metering Systems at Non-Domestic Premises which are enrolled under the Smart Energy Code, the requirements of paragraph 45.~~13~~8 shall only apply from the date (if any) on which the licensee becomes a DCC User (as defined in standard condition 48 (Enrolment of Smart Metering Systems)).

~~45.10~~45.15 Paragraph 45.~~16~~+ shall apply until the licensee becomes a DCC User (as defined in standard condition 48 (Enrolment of Smart Metering Systems)).

~~45.11~~45.16 Before the licensee enters into a Non-Domestic Supply Contract, the licensee must take (and ensure that any Representative takes) all reasonable steps to:

- (a) ascertain whether a Smart Metering System enrolled under the Smart Energy Code is installed at the Non-Domestic Premises; and
- (b) where such a Smart Metering System is installed at the premises, communicate to the Customer in plain and intelligible language an explanation of the nature and effect of any potential variations to the services related to the functionality of such a Smart Metering System that might be to the disadvantage of the Customer and which would arise if the Customer enters into the contract.

PART B2 – OBLIGATIONS IN RESPECT OF RELEVANT NON-DOMESTIC PREMISES

Access to Consumption Data on Request

45.17 In respect of each relevant non-domestic premises, the licensee must where requested by:

- (a) the Non-Domestic Customer at those premises;
- (b) a Nominated Agent of the Non-Domestic Customer,

make available in a machine readable format Relevant Non-Domestic Consumption Data such that it can be accessed, free of charge and via the internet, by the person making the request.

Exception

45.18 The requirement in paragraph 45.17 does not apply where:

- (a) in respect of a request made before Part B3 of this Condition applies for data provided by an Advanced Meter, the licensee is unable to obtain the Relevant Non-Domestic Consumption Data except at a cost which is manifestly excessive, and the licensee has taken all such steps as were reasonable to prevent this circumstance from occurring; or
- (b) the licensee, having taken all reasonable steps, is unable to obtain the Relevant Non-Domestic Consumption Data due to material technical reasons.

Licensee's Procedures

45.19 The licensee must:

- (a) establish, maintain and give effect to clear and transparent procedures and processes by which a Non-Domestic Customer or a Nominated Agent may make a request for Relevant Non-Domestic Consumption Data;
- (b) as a minimum, set out in its procedures and processes:
 - (i) the information to be provided by the Non-Domestic Customer or the Nominated Agent (as the case may be) for the purposes of enabling the licensee to accede to the request; and
 - (ii) the methods, including contact details, by which the Non-Domestic Customer or the Nominated Agent (as the case may be) can contact the licensee in respect of any request made by it to the licensee; and
- (c) publish its processes and procedures on and make them readily available from its Website.

45.20 The licensee must, within 10 working days of receiving a request for access to Relevant Non-Domestic Consumption Data from a Non-Domestic Customer or a Nominated Agent, respond to that request by:

- (a) making available the requested Relevant Non-Domestic Consumption Data in accordance with paragraph 45.17; or
- (b) informing the Non-Domestic Customer or the Nominated Agent (as the case may be) that the licensee is unable to accede to the request, together with reasons why that is the case and the further steps the Non-Domestic Customer or the Nominated Agent (as the case

may be) may wish to take for the purposes of the licensee being able to accede to the request.

Customer Updates

45.21 The licensee must, at such intervals as are determined appropriate by the licensee for the purposes of ensuring that the Non-Domestic Customer is regularly updated of such matters, notify the Non-Domestic Customer at a relevant non-domestic premises of:

- (a) their right to make or authorise a Nominated Agent to make a request to the licensee for access to Relevant Non-Domestic Consumption Data in accordance with paragraph 45.17;
- (b) where appropriate, the benefits of being able to have access to Relevant Non-Domestic Consumption Data.

PART B3 – OBLIGATIONS IN RESPECT OF RELEVANT DESIGNATED PREMISES

Provision of information relating to gas consumption

45.22 In respect of each relevant designated premises, the licensee must provide or otherwise make available (in either case free of charge and in a user-accessible format) consumption information to the Non-Domestic Customer at the relevant designated premises.

45.23 The consumption information provided or made available pursuant to the requirement in paragraph 45.22 must:

- (a) relate to and/or be based on Non-Domestic Consumption Data;
- (b) be provided or made available to the Non-Domestic Customer at a level of detail and in a Form and frequency that is sufficient to enable the Non-Domestic Customer to:
 - (i) understand, assess, evaluate, and gain insights into the patterns and trends emerging over time in relation to how much gas the Non-Domestic Customer consumes at the relevant designated premises; and
 - (ii) make informed judgments and choices as to when, and how much, gas the Non-Domestic Customer consumes, enabling them to consider ways to be more efficient and/or flexible in how and when they consume gas.

Exception

45.24 The requirement in paragraph 45.22 does not apply where the licensee, having taken all reasonable steps, is unable to obtain the Non-Domestic Consumption Data due to material technical reasons.

Customer Updates

45.25 The licensee must, at such intervals as are determined appropriate by the licensee for the purposes of ensuring that the Non-Domestic Customer is regularly updated of such matters, notify the Non-Domestic Customer at a relevant designated premises of:

- (a) the means by which the licensee provides or makes available (pursuant to the requirement in paragraph 45.22), and the Non-Domestic Customer can access, the consumption information;
- (b) where appropriate, the benefits of being able to have access to the consumption information; and
- (c) where the relevant designated premises are Relevant Micro Business Premises, the steps the Non-Domestic Customer can take in order for the licensee to provide or make available consumption information which is based on the quantity of gas supplied to the premises in each hourly (or shorter) period.

PART C - DEFINITIONS

Definitions

45.1245.26 In this Condition:

Advanced Meter has the meaning given to it in standard condition 33 (Smart Metering System – Roll-out, Installation and Maintenance).

Applicable Date means the date on which the licensee grants the request made by the Non-Domestic Customer or the Nominated Agent (as the case may be) for the purposes of paragraph 45.17.

Consumer Device means any device located at the relevant premises which:

- (a) is capable of providing the Domestic Customer with access (whether directly or indirectly) to Relevant Consumption Data; and
- (b) is capable of connecting through the HAN to a device forming part of the Smart Metering System at the relevant premises.

DCC has the meaning given to it in standard condition 43 of this licence.

DCC Communications System has the meaning given to it in standard condition 43 (Smart Metering Systems and In-Home Displays — Operational Requirements).

Effective Date means:

- (a) in respect of any Domestic Premises which is a relevant premises on the date this Condition takes effect, the date this Condition takes effect;
- (b) in respect of any Domestic Premises which is a relevant premises only from a date after the date on which this Condition takes effect, the date on which that Domestic Premises first becomes a relevant premises.

Micro Business Consumer has the meaning given to it in standard condition 7A (Supply to Micro Business Consumers).

Micro Business Premises means premises at which the Customer is a Micro Business Consumer.

Nominated Agent means any person acting within the scope of a valid Written consent of the Non-Domestic Customer at a relevant non-domestic premises to make a request to the licensee for access to Relevant Non-Domestic Consumption Data.

**Non-Domestic
Consumption Data**

means, in respect of any relevant designated premises, the quantity of gas supplied to the premises:

(a) where the premises is not a Micro Business Premises, in each hourly period (or such shorter period as the licensee may determine); or

(b) where the premises is a Micro Business Premises, in each Relevant Period of a Length,

in respect of the period:

(c) of 12 months prior to the Relevant Date;

(d) starting from the date on which the Non-Domestic Customer became the Customer at the relevant designated premises and ending on the Relevant Date;

(e) starting from the date on which the licensee became the Relevant Gas Supplier at the relevant designated premises and ending on the Relevant Date; or

(f) starting from the date the Smart Metering System or the Advanced Meter (as the case may be) was installed at the relevant designated premises and ending on the Relevant Date,

whichever is the shorter (the **relevant period**), save that:

(g) where the Relevant Date is a date prior to 1 October 2025 or such later date as the Secretary of State may specify in a direction issued to the licensee under this paragraph, the relevant period need not be whichever is the shorter period calculated in accordance with paragraphs (c) to (f) but may be a period of up to 12 months calculated by reference to the period for which the data referred to in paragraphs (a) or (b) (as the case may be) could reasonably be considered to be available to the licensee.

Relevant Consumption Data means, in respect of any relevant premises, detailed data as to the quantity of gas supplied to the premises in each day, week, month, and year for the period:

- (a) of 24 months prior to the date on which the Domestic Customer at the premises accesses the data;
- (b) starting from the date on which the Domestic Customer became the Customer at the premises and ending on the date on which the Domestic Customer accesses the data;
- (c) starting from the date on which the licensee became the Relevant Gas Supplier at the relevant premises and ending on the date on which the Domestic Customer accesses the data; or
- (d) starting from the date the Smart Metering System was installed at the relevant premises and ending on the date on which the Domestic Customer accesses the data,

whichever is the shorter period on the date on which the Domestic Customer accesses the data.

Relevant Date

means:

- (a) where the licensee provides consumption information to the Non-Domestic Customer, the date on which the licensee provides that information; or
- (b) where the licensee makes available consumption information for the Non-Domestic Customer, the date on which the Non-Domestic Customer accesses that information.

Relevant Micro Business Premises

means Micro Business Premises in respect of which the licensee does not obtain gas consumption data under paragraph 41.17A of

standard condition 41 which relates to any one or more periods of a length which is an hour or less.

Relevant Non-Domestic Consumption Data means, in respect of any relevant non-domestic premises, detailed data as to the quantity of gas supplied to the premises:

(a) where the premises is not a Micro Business Premises, in each hourly period (or such shorter period as the licensee may determine); or

(b) where the premises is a Micro Business Premises, in each Relevant Period of Length,

for the period:

(c) of 12 months prior to the Applicable Date;

(d) starting from the date on which the Non-Domestic Customer became the Customer at the relevant non-domestic premises and ending on the Applicable Date;

(e) starting from the date on which the licensee became the Relevant Gas Supplier at the relevant non-domestic premises and ending on the Applicable Date;

(f) starting from the date the Smart Metering System or the Advanced Meter (as the case may be) was installed at the relevant non-domestic premises and ending on the Applicable Date, or

(g) where the request is from a Nominated Agent that has previously made a request to the licensee for the data relating to the Non-Domestic Customer at the relevant non-domestic premises, starting from the date that the Nominated Agent last requested access to such data and ending on the Applicable Date,

whichever is the shorter.

Relevant Period means the period of 24 months prior to the date on which the Domestic Customer at the premises accesses consumption data.

Relevant Period of a in respect of any Micro Business Premises, means:

Length

(a) where the licensee is not able to obtain and use gas consumption data for a period of length which is an hour (or less) in compliance with paragraphs 41.17A or 41.17C of standard condition 41 and with data protection legislation;

(i) a period which is not more than a month; or

(ii) the period of a length for which the licensee is able to obtain and use gas consumption data in respect of the premises in compliance with paragraphs 41.17A or 41.17C of standard condition 41 and with data protection legislation,

whichever is the shorter;

(b) where the licensee is able to obtain and use gas consumption data for a period of length which is an hour (or less) in compliance with paragraphs 41.17A or 41.17C of standard condition 41 and with data protection legislation, an hourly period (or such shorter period as the licensee may determine).