# Energy Code Reform: DESNZ – Ofgem Consultation on Code Manager Licence Conditions and Code Modification Appeals to the Competition and Markets Authority- GOV.UK consultation response form

The closing date for responses is 27 June 2025.

Please return completed forms to these email addresses:

[codereform@energysecurity.gov.uk](mailto:codereform@energysecurity.gov.uk)

and

[industrycodes@ofgem.gov.uk](mailto:industrycodes@ofgem.gov.uk)

Alternatively, if you would like to write to us, please send your printed forms to:

Code Governance Reform Team, Department for Energy Security and Net Zero, 7th Floor, 3-8 Whitehall Place, London, SW1A 2EG.

And

Code Governance Reform Team, Office of Gas and Electricity Markets, 10 South Colonnade, Canary Wharf, London E14 4PU.

Information provided in response to this consultation, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes. Please see the consultation document for further information.

If you want information, including personal data, that you provide to be treated as confidential, please explain to us below why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we shall take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

I want my response to be treated as confidential

Comments:

## Questions

Name:  
Organisation (if applicable):  
Address:

Which of the following best describes your circumstances:

|  | Respondent type |
| --- | --- |
|  | Business representative organisation/trade body |
|  | Central government |
|  | Charity or social enterprise |
|  | Individual |
|  | Large business (over 250 staff) |
|  | Legal representative |
|  | Local government |
|  | Medium business (50 to 250 staff) |
|  | Micro business (up to 9 staff) |
|  | Small business (10 to 49 staff) |
|  | Trade union or staff association |
|  | Other (please describe) |

Question 1: To what extent do you agree with the draft end-to-end code manager licence? For example, do you think there any licence conditions missing, or whether there any inconsistencies or duplication?

Please provide your response below:

Question 2: To what extent do you agree with our proposal that the code manager licence will include a mechanism for code parties, Citizens Advice and Consumer Scotland to appeal code managers’ budgets to Ofgem? Should this also include Citizens Advice Scotland?

Please provide your response below:

Question 3: To what extent do you agree the licence drafting provided in condition 21 of Annex A delivers the intent of our proposed policy on budget appeals? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 4: To what extent do you agree with the proposals set out above on conflicts of interest, including the proposals to include exceptions in the licence?

Please provide your response below:

Question 5: To what extent do you agree that the revised licence drafting in conditions 15-19 of Annex A delivers the intent of our proposed policy on conflicts of interest? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 6: To what extent do you agree with the proposed objectives? Are there other objectives you think should be included?

Please provide your response below:

Question 7: To what extent do you agree that the draft code manager licence condition in condition 3 of Annex A delivers the intent of our proposed policy on code manager objectives? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 8: To what extent do you agree with the policy proposals on delivery plans set out above, including the timing, contents and requirement to execute the plan?

Please provide your response below:

Question 9: To what extent do you agree that the licence drafting in condition 29 of Annex A deliver the intent of our proposed policy on delivery plans? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 10: To what extent do you agree with the proposals set out above on controls of the business?

Please provide your response below:

Question 11: To what extent do you agree that the licence drafting in conditions 4-6 and 8-9 of Annex A delivers the intent of our proposed policy on controls on the business? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 12: To what extent do you agree with the proposals set out above on procurement of services?

Please provide your response below:

Question 13: To what extent do you agree that the licence drafting in condition 7 of Annex A delivers the intent of our proposed policy on procurement of services? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 14: To what extent do you agree with the proposals set out above on optional charging?

Please provide your response below:

Question 15: To what extent do you agree that the licence drafting in condition 24 of Annex A delivers the intent of our proposed policy on optional charging? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 16: To what extent do you agree with our proposal to introduce a “minimum acceptable performance standard” in the code manager licence?

Please provide your response below:

Question 17: To what extent do you agree with our proposals regarding remuneration, including introducing a licence requirement for the code manager to implement a remuneration policy, linking bonus remuneration of Senior Staff to performance and compliance and whether the sufficiently independent directors and/or SAF should have a role in reviewing the remuneration policy?

Please provide your response below:

Question 18: To what extent do you agree that the licence drafting in conditions 25 and 26 of Annex A delivers the intent of our proposed policy on Performance? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 19: To what extent do you agree with our proposals regarding the provision of information, and co-operation with, the Authority?

Please provide your response below:

Question 20: To what extent do you agree that the licence drafting in condition 30 of Annex A captures the intent of our proposed policy on provisions of information, and co-operation with, the Authority? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 21: To what extent do you agree with our preferred option 1 (principles-based licence condition)?

Please provide your response below:

Question 22: To what extent do you agree that the licence drafting in condition 28 of Annex A delivers our policy intent for Ease of use of the code option 1? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 23: To what extent do you agree with the policy proposals set out above on end of licence arrangements, including the proposals relating to IPR? Are there any other assets you consider should be addressed in handover plans?

Please provide your response below:

Question 24: To what extent do you agree that the licence drafting in conditions 31 and 32 in Annex A capture the intent of our proposed policy on End of licence? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 25: To what extent do you agree with the proposals set out above on code maintenance and modification, including the proposals to update existing licence obligations and for new arrangements?

Please provide your response below:

Question 26: To what extent do you agree that the licence drafting in condition 27 of Annex A capture the intent of our proposed policy on Code maintenance and modification? Do you have any other views or comments on the licence drafting?

Please provide your response below:

Question 27: To what extent do you agree that legislation should be updated, bringing the REC into scope to reflect its creation as the successor of the MRA and SPAA?

Please provide your response here:

Question 28: To what extent do you agree with our preference to maintain the status quo by preserving the CMA appeal route for ‘commercial’ codes and keeping ‘technical’ codes out of scope?

Please provide your response below:

Question 29: To what extent do you agree with our position that the current eligibility criteria for who can bring an appeal to the CMA should remain unchanged?

Please provide your response below:

Question 30: To what extent do you agree with our preferred option that appeals should be triggered when Ofgem disagree with the code manager’s recommendation?

Please provide your response below:

Question 31: To what extent do you agree that, subject to feedback and consultation, these exclusion criteria should be embedded in a new statutory instrument?

Please provide your response below:

Question 32: To what extent do you agree with our proposal to take forward option 3 which gives the code manager the discretion to recommend more than one modification for approval?

Please provide your response below: