

# Energy Prices Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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[Amendments marked ★ are new or have been altered]

Amendment  
No.

**Clause 2**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

1★ Page 3, line 7, leave out “negative” and insert “affirmative”

*Member’s explanatory statement*

*This amendment and others in the name of Lord Lennie make the regulations in the relevant sections subject to the affirmative procedure.*

**Clause 3**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

2★ Page 4, line 9, leave out “negative” and insert “affirmative”

*Member’s explanatory statement*

*This amendment and others in the name of Lord Lennie make the regulations in the relevant sections subject to the affirmative procedure.*

**Clause 6**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

3★ Page 6, line 25, leave out “negative” and insert “affirmative”

*Member’s explanatory statement*

*This amendment and others in the name of Lord Lennie make the regulations in the relevant sections subject to the affirmative procedure.*

**Clause 7**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

4★ Page 7, line 12, leave out “negative” and insert “affirmative”

***Member’s explanatory statement***

*This amendment and others in the name of Lord Lennie make the regulations in the relevant sections subject to the affirmative procedure.*

**Clause 9**

LORD TEVERSON

5★ Page 8, line 19, at end insert—

“(4A) Regulations under this section must apply to non-domestic customers—

- (a) that signed a fixed tariff agreement with their energy provider after 1 December 2021, and
- (b) on variable rates tariffs.”

***Member’s explanatory statement***

*Currently non-domestic customers who signed a fixed tariff agreement after 1 April 2022, and those on variable rates tariffs, benefit from the reduced energy charges. This amendment would extend this support to those customers who signed fixed tariff agreements between 1 December 2021 and 1 April 2022.*

LORD ROOKER

*Lord Rooker gives notice of his intention to oppose the Question that Clause 9 stand part of the Bill.*

**Clause 13**

LORD TEVERSON

6 Page 11, line 3, at end insert—

“(3A) Any payments arising from this Act and made to energy users not connected to the gas or electricity networks must be made directly to those users’ bank accounts.”

***Member’s explanatory statement***

*This amendment would ensure that those receiving payments under the Alternative Fuel Payments schemes do so through their bank accounts rather than through their electricity bill.*

**Clause 15**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

7★ Page 12, line 39, leave out “negative” and insert “affirmative”

***Member's explanatory statement***

*This amendment and others in the name of Lord Lennie make the regulations in the relevant sections subject to the affirmative procedure.*

**After Clause 15**

LORD TEVERSON  
LORD FOSTER OF BATH  
BARONESS BENNETT OF MANOR CASTLE  
LORD MCNICOL OF WEST KILBRIDE

8 Insert the following new Clause—

**“Report on effectiveness of energy efficiency programmes in reducing energy costs**

- (1) Within six months of the day on which this Act is passed, the Secretary of State must review the impact of energy efficiency programmes in reducing energy costs in accordance with this section.
- (2) A review under this section must consider the impact of—
  - (a) the number of homes and business properties which have increased their EPC rating,
  - (b) the number of homes and business properties which have undergone retrofitting programmes, including—
    - (i) fitting of solar panels, and
    - (ii) replacement of gas boilers,
  - (c) increases in renewable energy sources, and
  - (d) public messaging campaigns into changing energy usage habits.
- (3) The Secretary of State must lay a copy of the report before each House of Parliament.”

***Member's explanatory statement***

*This new Clause would require the Secretary of State to report on the impact of energy efficiency programmes in reducing energy costs.*

LORD TEVERSON  
BARONESS BENNETT OF MANOR CASTLE

9 Insert the following new Clause—

**“Report on social energy tariffs**

- (1) Within two months of the day on which this Act is passed, the Secretary of State must complete an assessment of the merits of introducing social energy tariffs.
- (2) The assessment under subsection (1) must in particular highlight the impact on the energy costs of the poorest households in the United Kingdom that the introduction of such tariffs could have.
- (3) The Secretary of State must lay a copy of the assessment before each House of Parliament.
- (4) In this section a “social energy tariff” is a long-term support measure under which low-income households and households experiencing fuel poverty are eligible for discounts on their energy bills.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to complete an assessment of the merits of introducing social energy tariffs.*

LORD FOSTER OF BATH

10★ Insert the following new Clause—

**“Value added tax on energy-saving materials**

In note 1 of Group 23 of Part 2 of Schedule 8 to the Value Added Tax Act 1994 (meaning of “energy-saving materials”), at the end insert—

- “(l) batteries used solely for the purpose of storing electricity generated by solar panels;
- (m) measures to reduce energy demand in domestic properties including—
  - (i) double glazing,
  - (ii) draught excluders,
  - (iii) heat control panels,
  - (iv) LED lights.””

***Member's explanatory statement***

*This new Clause includes batteries used solely to store energy generated by solar panels and fabric measures in the list of energy saving materials subject to a zero VAT rate.*

LORD FOSTER OF BATH

BARONESS HAYMAN

11★ Insert the following new Clause—

**“Long-term measures to assist with energy price reductions: energy performance regulations relating to existing premises**

- (1) For the purpose of assisting people to reduce their energy bills, the Secretary of State must ensure that, subject to subsection (2)—
  - (a) all domestic premises in the United Kingdom existing on 1 October 2022 and occupied by persons living in fuel poverty as at 31 December 2022 achieve at least EPC band C by 2030; and
  - (b) all other domestic properties in the United Kingdom existing on 1 October 2022 achieve at least EPC band C by 2035, where doing so is practical, cost-effective and affordable.
- (2) The duty imposed by subsection (1) does not apply to a domestic property where the following exemptions apply—
  - (a) an occupant or anyone else whose permission is needed for works to be carried out has explicitly refused such permission;
  - (b) it is not technically feasible to fulfil the duty; or
  - (c) the cost of carrying out works to fulfil the duty would exceed £20,000.
- (3) The Secretary of State may by regulations add to or change the exemptions referred to in subsection (2).
- (4) The Secretary of State may by regulations define the terms “practical”, “cost-effective”, “affordable” and “practically feasible”.

**Member's explanatory statement**

*This new Clause requires the Secretary of State to provide long-term assistance to enable people to reduce their energy bills by ensuring that all fuel-poor households achieve EPC band C by 2030, and all other households by 2035 (with specified exemptions).*

BARONESS BRINTON

12★ Insert the following new Clause –

**“Strategic plan for the supply of energy for those who are disabled or seriously ill**

- (1) The Secretary of State must within two months of the day on which this Act is passed introduce a strategic plan for the supply of energy for those who are disabled or seriously ill.
- (2) The plan under subsection (1) must ensure that –
  - (a) an individual customer is able to inform their energy supplier that they have life-saving equipment that requires an emergency supply in the event of a break in supply;
  - (b) energy companies must keep a register of their customers who will need emergency energy in the event of a break in supply, and liaise with the relevant local authority Local Resilience Forum regarding arrangements in their areas in the event of a break in supply;
  - (c) each Local Resilience Forum with responsibility for the Local Emergency Plan must incorporate a section on supply of energy for those who are disabled or seriously ill and who require an emergency supply in their Emergency Plans;
  - (d) the energy suppliers for individuals identified under subsection (2)(a) above and the local authority and its Local Resilience Forum will prepare a local action plan for the delivery of required support, and ensure it is produced and reviewed regularly and all individuals under subsection (2)(a) above are aware of the details of that plan.
- (3) Before introducing the strategic plan under subsection (1) the Secretary of State must consult –
  - (a) the Department for Levelling Up, Housing and Communities,
  - (b) the Department for Health and Social Care,
  - (c) the Energy Management Association,
  - (d) the Local Government Association,
  - (e) representatives from disabled groups and health charities working with those with serious conditions, and
  - (f) any other person the Secretary of State considers appropriate.”

**Member's explanatory statement**

*This amendment would require the Secretary of State to produce a strategic plan for the supply of energy for those who are disabled or seriously ill in the event of disruption of power supply.*

LORD TEVERSON

13★ Insert the following new Clause –

**“Energy profits levy**

- (1) The Secretary of State must lay before Parliament an assessment of the additional revenue that would result from the following policy measures –

**After Clause 15 - continued**

- (a) amending the Energy (Oil and Gas) Profits Levy so that it applies to oil and gas profits incurred since 1 October 2021,
  - (b) removing from the Energy (Oil and Gas) Profits Levy allowances for investment in oil and gas extraction,
  - (c) increasing the rate of the Energy (Oil and Gas) Profits Levy beyond 25%, and
  - (d) implementing a windfall tax on the excess profits of coal- and gas-fired power stations.
- (2) In addition, the Secretary of State must lay before Parliament an official estimate of the oil and gas super profits over the next 2 years.
  - (3) The Secretary of State must lay the report before Parliament no later than 31 October 2022.”

***Member’s explanatory statement***

*This new Clause would require the Secretary of State to lay a report before Parliament detailing the impact of expanding the government’s Energy (Oil and Gas) Profits Levy.*

LORD LENNIE

LORD MCNICOL OF WEST KILBRIDE

**14★** Insert the following new Clause—

**“Report on additional expenditure treated as incurred for purposes of section 1 of the Energy (Oil and Gas) Profits Levy Act 2022**

- (1) The Secretary of State must, within six months of the day on which this Act is passed, publish and lay before Parliament a report on the effect of removing the allowance under section 2(3) of the Energy (Oil and Gas) Profits Levy Act 2022.
- (2) The report must set out projections of the effect of the reduction set out in subsection (1) on domestic and non-domestic energy bills.”

***Member’s explanatory statement***

*This new Clause requires the Secretary of State to produce a report assessing the impact of removing the investment allowance for oil and gas companies as set out in the Energy (Oil and Gas) Profits Levy Act, and in particular to assess the impact on domestic and non-domestic bills.*

**15★** Insert the following new Clause—

**“Review of forecast and outturn revenue and profits of electricity generators and UK oil and gas producers**

- (1) The Secretary of State must, within one month of the passing of this Act and every six months thereafter, publish an assessment of forecast and outturn revenue and profits of electricity generators and oil and gas producers.
- (2) The review must cover all electricity generators as specified in section 16(10) of this Act and all companies carrying on a ring fence trade within the meaning of section 1 of the Energy (Oil and Gas) Profits Levy Act 2022.

**After Clause 15 - continued**

- (3) The review must consider total revenue and profits from UK production and generation that are forecast in each financial year from 2022/23 until 2025/26, as well as outturn revenue and profits in these years when data becomes available.”

***Member’s explanatory statement***

*This new Clause would require the Government to assess the revenue and profits of electricity generators and oil and gas producers every six months.*

**Clause 16**

LORD ROOKER

- 16★ Page 13, line 18, at end insert “without fuel import costs,”

LORD LENNIE

LORD MCNICOL OF WEST KILBRIDE

- 17★ Page 14, line 46, leave out “The first”

***Member’s explanatory statement***

*This amendment and others in the name of Lord Lennie would mean that the powers contained in Clause 16 would all be subject to the affirmative procedure.*

- 18★ Page 14, line 47, leave out subsection (8)

***Member’s explanatory statement***

*This amendment and others in the name of Lord Lennie would mean that the powers contained in Clause 16 would all be subject to the affirmative procedure.*

- 19★ Page 14, line 49, at end insert –

“(9A) Prior to implementing the above subsections, the Secretary of State must consult with those bodies whom he or she considers relevant to section 16.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to consult before utilising the powers in the relevant clause.*

**After Clause 18**

LORD LENNIE

LORD MCNICOL OF WEST KILBRIDE

- 20★ Insert the following new Clause –

**“Marginal cost of electricity**

Within two years of the day on which this Act is passed, the Secretary of State must consult on and implement a scheme to disaggregate the cost of production of natural gas from the cost of production of other energy sources with a view to reducing the cost of electricity to domestic and commercial consumers.”

***Member's explanatory statement***

*This new Clause requires the Secretary of State to devise and implement a scheme to disaggregate the cost of production of natural gas from the cost of production of other energy sources in order to reduce the cost of electricity to domestic and commercial consumers.*

**Clause 19**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

**21★** Page 18, line 38, at end insert –

“(13A) Prior to implementing the above subsections, the Secretary of State must consult with those bodies whom he or she considers relevant to section 19.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to consult before utilising the powers in the relevant Clause.*

**Clause 21**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

**22★** Page 19, line 24, after “may” insert “by regulations”

***Member's explanatory statement***

*This amendment and others in the name of Lord Lennie make the powers in Clause 21 subject to affirmative parliamentary procedure including a sunset Clause.*

**23★** Page 20, line 25, at end insert –

“(10A) Prior to implementing the above subsections, the Secretary of State must consult with those bodies whom he or she considers relevant to section 21.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to consult before utilising the powers in the relevant Clause.*

**24★** Page 20, line 32, at end insert –

“(12) Regulations under this section are subject to the affirmative procedure.

(13) For provision imposing a time limit relevant to the exercise of the powers conferred by this section, see Schedule 6.”

***Member's explanatory statement***

*This amendment and others in the name of Lord Lennie make the powers in Clause 21 subject to affirmative parliamentary procedure including a sunset Clause.*

**Clause 22**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

**25★** Page 21, line 1, after “may” insert “by regulations”



***Member's explanatory statement***

*This amendment and others in the name of Lord Lennie make the powers in Clause 22 subject to affirmative parliamentary procedure including a sunset Clause.*

LORD ROOKER

- 26★ Page 21, line 3, leave out “general” and insert “specific”

LORD TEVERSON  
LORD FOSTER OF BATH  
LORD ROOKER

- 27 Page 21, line 9, leave out “in writing” and insert “made by regulations subject to the affirmative procedure”

***Member's explanatory statement***

*This amendment would make directions under Clause 22 exercisable by affirmative regulation, as recommended by the Delegated Powers and Regulatory Reform Committee.*

LORD ROOKER

- 28★ Page 21, line 12, leave out subsection (5)

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

- 29★ Page 21, line 15, at end insert –

“(5A) Regulations under this section are subject to the affirmative procedure.

(5B) For provision imposing a time limit relevant to the exercise of the powers conferred by this section, see Schedule 6.”

***Member's explanatory statement***

*This amendment and others in the name of Lord Lennie make the powers in Clause 22 subject to affirmative parliamentary procedure including a sunset Clause.*

LORD ROOKER

*Lord Rooker gives notice of his intention to oppose the Question that Clause 22 stand part of the Bill.*

**Clause 27**

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

- 30★ Page 22, line 41, at end insert –

“(c) anything done or proposed to be done to prevent electricity generators and oil and gas producers from passing on the costs of any levy imposed on them or payments they are required to make under this Act.”

***Member's explanatory statement***

*This amendment is a power for the Secretary of State to undertake consequential actions in order to secure the full reduction in the cost of domestic or non-domestic energy bills in Great Britain.*

### Schedule 1

LORD TEVERSON  
LORD FOSTER OF BATH

31 Page 27, line 2, leave out paragraph 3

***Member's explanatory statement***

*This amendment removes the sub-delegation of powers in this Schedule, as recommended by the Delegated Powers and Regulatory Reform Committee.*

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

32★ Page 27, line 5, leave out sub-paragraph (2)

***Member's explanatory statement***

*This amendment enacts recommendations by the Delegated Powers and Regulatory Reform Committee to remove powers in Clauses 9 and 11.*

LORD ROOKER

33★ Page 27, line 8, leave out paragraph (b) and insert –

“(3) Any regulations conferring powers under sub-paragraph (2) are subject to the affirmative procedure”

### Schedule 2

LORD TEVERSON  
LORD FOSTER OF BATH

34 Page 29, line 10, leave out paragraph 3

***Member's explanatory statement***

*This amendment removes the sub-delegation of powers in this Schedule, as recommended by the Delegated Powers and Regulatory Reform Committee.*

LORD LENNIE  
LORD MCNICOL OF WEST KILBRIDE

35★ Page 29, line 13, leave out sub-paragraph (2)

***Member's explanatory statement***

*This amendment enacts recommendations by the Delegated Powers and Regulatory Reform Committee to remove powers in Clauses 9 and 11.*

LORD ROOKER

36★ Page 29, line 16, leave out paragraph (b) and insert –

“(3) Any regulations conferring powers under sub-paragraph (2) are subject to the affirmative procedure”

## Schedule 6

LORD LENNIE

LORD MCNICOL OF WEST KILBRIDE

- 37★ Page 37, line 17, after "may" insert "provide for the reduction of the amount charged for domestic electricity supply from 8 September 2022 but"

*Member's explanatory statement*

*This amendment allows the domestic electricity price reduction scheme to begin from 8 September 2022.*

- 38★ Page 37, line 25, after "may" insert "provide for the reduction of the amount charged for domestic gas supply from 8 September 2022 but"

*Member's explanatory statement*

*This amendment allows the domestic gas price reduction scheme to begin from 8 September 2022.*

- 39★ Page 40, line 16, leave out "5 years" and insert "3 years and 6 months"

*Member's explanatory statement*

*This amendment would shorten the sunset Clause for the regulations under clause 16 in line with the Secretary of State's ability to provide support to meet energy price rises.*

LORD TEVERSON

LORD FOSTER OF BATH

- 40 Page 40, line 20, at end insert –  
"8A(1) The powers conferred by section 22 cease to be exercisable after the end of the period of two years beginning with the day on which this Act is passed.  
(2) That period may be extended in accordance with paragraph 9."

*Member's explanatory statement*

*This amendment would put a time limit of two years on the powers exercisable under Clause 22, as recommended by the Delegated Powers and Regulatory Reform Committee.*

LORD LENNIE

LORD MCNICOL OF WEST KILBRIDE

- 41★ Page 40, line 20, at end insert –  
*"Power of the Secretary of State to modify energy licences etc.*  
8A(1) The powers conferred by section 21 cease to be exercisable at the end of the period of two years beginning with the day on which this Act is passed.  
(2) That period may be extended in accordance with paragraph 9.  
(3) Sub-paragraph (1) does not prevent the powers conferred by section 21 from being exercised in a manner that could have an effect which continues after the period when the power is exercisable."

***Member's explanatory statement***

*This amendment and others in the name of Lord Lennie make the powers in Clause 21 subject to affirmative parliamentary procedure including a sunset Clause.*

**42★**

Page 40, line 20, at end insert—

*“Power of the Secretary of State to give directions*

- 8A(1) The powers conferred by section 22 cease to be exercisable at the end of the period of two years beginning with the day on which this Act is passed.
- (2) That period may be extended in accordance with paragraph 9.
- (3) Sub-paragraph (1) does not prevent the powers conferred by section 22 from being exercised in a manner that could have an effect which continues after the period when the power is exercisable.”

***Member's explanatory statement***

*This amendment and others in the name of Lord Lennie make the powers in Clause 22 subject to affirmative parliamentary procedure including a sunset Clause.*

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*20 October 2022*

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