



Flogas Natural Gas Limited

Gas Supply Deemed Contract Scheme

Introduction

This Gas Supply Deemed Contract Scheme (the “Scheme”) is made pursuant to Section 12 of the Energy Act (Northern Ireland) 2011 and Condition 2.1 (Deemed Contracts) of the Gas Supply Licence granted to Flogas Natural Gas Limited by the Utility Regulator. It sets out the terms and conditions that apply where, by law, a contract for the supply of gas is deemed to exist between Flogas and a consumer in Northern Ireland.

Application

This Scheme will apply to any gas supply point registered to Flogas Natural Gas Limited (“Flogas”, “we”, “us”, “our”) where no signed gas supply agreement is in place, including (by way of example):

- where an owner or occupier moves into premises already supplied by Flogas and begins to take a gas supply;
- as directed under Section 12 of the Energy Act (Northern Ireland) 2011.

A Deemed Contract starts from when the owner or occupier begins to take a supply of gas from Flogas Natural Gas Limited.

Terms and Conditions

Contract basis - The terms and conditions applicable under a Deemed Contract are the same as those that would apply to standard supply for the same customer/product segment (e.g., Small/Medium Business up to 732,000 kWh p.a., or other applicable product class), together with any provisions specific to Deemed Contracts required by law or licence. The relevant Flogas business terms and conditions are available from Flogas on request or via our website.

Prices and charges - Charges under a Deemed Contract will be clearly communicated in writing and will not be unduly onerous, in line with the Gas Supply Licence. Where applicable, rates will be based on the appropriate noncontract/standard rates for the relevant segment and site profile (including regulated passthrough charges set by the relevant bodies).

Flogas will not apply additional “penalty” premiums beyond those necessary to reflect a noncontract supply and site profile and will set out the applicable rate(s) and methodology in writing to the customer.

Meter reads and estimates - Where an actual meter read is unavailable at the time responsibility for the site changes, Flogas may estimate consumption using historical usage. Any subsequent actual read may be used to reconcile the account. (This mirrors common NI practices and your standard business T&Cs.)

Billing and recovery of charges - Flogas will bill in accordance with its licence and codes of practice, including the provision of information to consumers and the time limit on the recovery of charges (as applicable under the licence).

Start date and supply commencement - The Deemed Contract takes effect automatically under Section 12 from the relevant time defined in that section (i.e., when supply started or was first taken).

Notices and customer options - Where a Deemed Contract arises, Flogas will take all reasonable steps to provide a notice to the customer:

- setting out the principal terms of the Deemed Contract;
- informing the customer that alternative contracts with different terms and conditions (and potentially lower prices) may be available; and
- inviting the customer to enter into a supply agreement with Flogas as soon as reasonably practicable. (This aligns with the licence obligations and common NI supplier practice.)

Duration and termination

- A Deemed Contract continues until the earlier of:
 - (a) the date a new supply agreement with Flogas starts; or
 - (b) the date another licensed supplier begins to supply the premises; or
 - (c) the customer ceases to take supply.
- No termination fee is payable solely for leaving a Deemed Contract.

Last Resort Supply Direction

Any Deemed Contract under this Scheme will terminate automatically if a Last Resort Supply Direction is issued by the Utility Regulator to another gas supplier in relation to the premises. (This mirrors Article 21A of the Gas (Northern Ireland) Order 1996 framework and NI supplier practice.)

Safety and emergencies

If you smell gas or suspect a leak, call the 24-hour NI Gas Emergency Number: 0800 002 001 immediately. Do not operate electrical switches and ventilate the area if safe to do so.

Governing law and jurisdiction

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.

The law and Flogas Natural Gas's Supply Licence provide that it must act in a certain way in relation to Deemed Contracts. Flogas Natural Gas's policies and procedures are designed to ensure that these obligations are met.

For help and independent advice, customers may also contact:

- Utility Regulator (UR) — regulator for gas in NI: uregni.gov.uk
- Consumer Council for Northern Ireland — consumer advice and complaints: consumercouncil.org.uk

Flogas' business codes and forms are available online or on request.

Glossary (NI gas context)

- **Authority:** The Northern Ireland Authority for Utility Regulation (UR).
- **Consumer Council:** The Consumer Council for Northern Ireland.
- **Deemed Contract:** A contract deemed to exist under Section 12 of the Energy Act (NI) 2011 where supply is taken or made otherwise than pursuant to a signed agreement.
- **Gas Order:** The Gas (Northern Ireland) Order 1996 (as amended).
- **Gas Supply Licence:** The licence granted to Flogas Natural Gas Limited for the supply of gas in NI, including Condition 2.1 (Deemed Contracts) and related conditions referenced in this Scheme.
- **Network Operator:** The relevant NI gas distribution network operator (e.g., Phoenix Natural Gas, SGN Natural Gas, firmus energy (Distribution)), who sets certain network charges included as pass-throughs in bills.
- **Last Resort Supply Direction:** A direction given by the Authority requiring a supplier to make supply available to premises previously supplied by another supplier (gas equivalent to electricity's SoLR).