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STATUTORY RULES OF NORTHERN IRELAND

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**2019 No. 76**

**EUROPEAN COMMUNITIES**

**The Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2019**

*Made* - - - - *4th April 2019*

*Coming into operation* *30th April 2019*

The Department of Finance<sup>(1)</sup>, being a Department designated<sup>(2)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(3)</sup> in relation to measures relating to the environment and in exercise of the powers conferred by section 2(2) of the said Act, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1. These Regulations may be cited as the Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2019 and shall come into operation on 30th April 2019.

2. The Interpretation Act (Northern Ireland) 1954<sup>(4)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

3. Unless otherwise defined in these Regulations, terms used in these Regulations have the same meaning as in [Directive 2010/31/EU](#) of the European Parliament and of the Council of 19th May 2010 on the energy performance of buildings (recast)<sup>(5)</sup>.

**Amendment of the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008**

4. After regulation 25 (Registration of certificates etc.) of the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008<sup>(6)</sup> insert—

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(1) 2016 c. 5 (N.I.)

(2) S.I. 2008 No. 301

(3) 1972 c. 68

(4) 1954 c. 33 (N.I.)

(5) O.J. No. L153 18.6.2010, p.13

(6) S.R. 2008 No. 170, as amended by S.R. 2008 No. 241, S.R. 2009 No. 369, S.R. 2013 No.12, S.R. 2014 No.43 and S.R. 2016 No. 395.

**“Fees for entering data onto the register**

**25A.** The keeper of the register may charge the following fees for entering data onto the register —

- (a) for entering data from which an energy performance certificate which relates to a dwelling may be produced, a fee of £1.86;
- (b) for entering data from which—
  - (i) an energy performance certificate which relates to a building other than a dwelling;
  - (ii) a display energy certificate; or
  - (iii) an inspection report,

may be produced, a fee of £9.84.”

Sealed with the Official Seal of the Department of Finance on 4th April 2019.



*Desmond C McDonnell*  
A senior officer of the  
Department

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (“the principal Regulations”)(7). The principal Regulations implement in part, [Directive 2010/31/EU](#) of the European Parliament and of the Council of 19th May 2010 on the energy performance of buildings (recast)(8).

Regulation 4 inserts a new regulation 25A to set the fees for entering data onto the register of: energy performance certificates, display energy certificates and air conditioning inspection reports kept under regulation 25 (Registration of certificates etc.) of the principal Regulations.

An impact assessment has not been produced for these Regulations as no, or minimal impact on the public, private or voluntary sectors is foreseen in relation to the provisions of these Regulations.

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(7) S.R. 2008 No. 170, as amended by S.R. 2008 No. 241, S.R. 2009 No. 369, S.R. 2013 No. 12, S.R. 2014 No. 43 and S.R. 2016 No. 395.

(8) O.J. No.L153, 18.6.2010, p.13