

*Draft Regulation laid before the Assembly under paragraph 12 (3) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval*

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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2022 No. 000**

**BUILDING AND BUILDINGS**

**The Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2022**

*Made - - - -*

*0000*

*Coming into operation*

*1st April 2022*

The Department of Finance<sup>(1)</sup> being an appropriate authority for the purposes of paragraph 8 of Schedule 4 to the European Union (Withdrawal) Act 2018<sup>(2)</sup> and in exercise of the powers conferred by paragraph 7(2) of Schedule 4 to the said Act, hereby makes the following regulations.

In accordance with paragraph 12(3) of Schedule 7 to that Act a draft of these Regulations was laid before, and approved by a resolution of, the Assembly.

**Citation and commencement**

1. These regulations may be cited as the Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2022 and shall come into operation on 1st April 2022.

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

2. The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008<sup>(3)</sup> are amended in accordance with the following regulation.

**Amendment of regulation 25A**

3. In regulation 25A (Fees for entering data onto the register)—
- (a) in paragraph (a), for ““£1.64” substitute “£1.50”; and
  - (b) in paragraph (a), for “£1.89” substitute “£1.70”.

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

(2) 2018 c.16. Schedule 7 was amended by Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c.1).

(3) S.R. 2008 No. 170, as amended by S.R. 2008 No. 241, S.R. 2009 No. 369, 2013 No. 12, S.R. 2014 No. 43, S.R. 2016 No. 395, S.R. 2019 No. 76 and S.R. 2021 No. 72.

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Northern Ireland Statutory Rule: *The Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2022 No. 91*

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Sealed with the Official Seal of the Department of Finance on 0000



*Desmond C McDonnell*  
A senior officer of the  
Department

## EXPLANATORY NOTE

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

These Regulations amend the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (“the principal Regulations”)(4). The principal Regulations implement in part, [Directive 2010/31/EU](#) of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast)(5) (“the Directive”). That Directive was amended by Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018(6). The principal regulations were made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(7). That Act was repealed by section 1 of the European Union (Withdrawal) Act 2018(8) but the principal regulations continue to have effect as retained EU law by virtue of section 2(2) of the European Union (Withdrawal) Act 2018.

Regulation 3 amends the fees for entering data onto the register for energy performance certificates, display energy certificates and air conditioning inspection reports kept under regulation 25 (Registration of certificates etc.) of the principal regulations.

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(4) 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, S.R. 2016 No.395, S.R.2019 No.76 and S.R. 2021 No. 72.

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

(6) O.J. No.L156, 19.6.2018.

(7) 1972 c.68.

(8) 2018 c.16.