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DRAFT STATUTORY INSTRUMENTS

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**2009 No.**

**The Electricity and Gas (Community Energy Saving Programme) Order 2009**

**PART 3**

**Qualifying actions, notifications and approvals**

**Achievement of carbon emissions reduction obligations**

**14.**—(1) Generators and suppliers must achieve their carbon emissions reduction obligation by promoting qualifying actions to domestic energy users in areas of low income.

(2) A qualifying action must be approved by the Authority.

(3) Generators and suppliers must achieve their carbon emissions reduction obligation without exceeding any of the following limits—

- (a) no more than 4% of a generator's or a supplier's carbon emissions reduction obligation may be achieved by the provision of loft insulation;
- (b) no more than 4% of a generator's or a supplier's carbon emissions reduction obligation may be achieved by the provision of cavity wall insulation;
- (c) no more than 1% of a generator's or a supplier's carbon emissions reduction obligation may be achieved by the provision of a home energy advice package.

(4) The Authority must determine whether or not the limits in paragraph (3) are exceeded but in doing so must not apply any adjustments referred to in article 24 or article 25.

(5) A qualifying action approved by the Authority for the purposes of the Electricity and Gas (Carbon Emissions Reduction) Order 2008(1) is not by that approval a qualifying action under this Order.

**Purposes for which a qualifying action must be promoted**

**15.**—(1) An action is a qualifying action only if it is promoted for the purpose of—

- (a) achieving improvements in energy efficiency;
- (b) increasing the amount of electricity generated or heat produced by microgeneration;
- (c) increasing the amount of heat produced by any plant which relies wholly or mainly on wood; or
- (d) reducing energy consumption.

(2) In this article, “plant” includes any equipment, apparatus or appliance.

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(1) *S.I. 2008/188*, as amended by the Electricity and Gas (Carbon Emissions Reduction) (Amendment) Order 2009, S.I. 2009/xxxx.

## **Notifications**

**16.**—(1) An action which a generator or supplier intends to be a qualifying action must be notified to the Authority within one month of the action being commenced.

(2) A notification must—

- (a) include a written confirmation from a local authority in whose area any qualifying actions will be promoted that it has been consulted on the qualifying actions which a generator or a supplier intends to promote in its area;
- (b) include sufficient information to show how the generator or supplier intends the action to be a qualifying action.

## **Approval of actions by the Authority**

**17.**—(1) The Authority must determine whether or not it approves an action as a qualifying action.

(2) Where the Authority approves an action, it must be satisfied that the action is promoted—

- (a) in an area of low income; and
- (b) in accordance with article 15.

(3) The Authority must notify generators or suppliers of its determination under this article and give reasons for it.