

*Draft Order laid before Parliament under section 40(5) of the Energy Act 2011, for approval by
resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

2012 No.

ENERGY CONSERVATION

The Green Deal (Energy Efficiency Improvements) Order 2012

Made - - - - ***

Coming into force in accordance with article 1

A draft of this instrument has been laid before Parliament in accordance with section 40(5) of the Energy Act 2011(1) and approved by a resolution of each House of Parliament.

To the extent required by section 40(8)(a) of the Energy Act 2011, the Scottish Ministers have given consent and in accordance with section 40(8)(b) they have been consulted.

The Welsh Ministers have been consulted in accordance with section 40(12) of the Energy Act 2011.

Accordingly, the Secretary of State, in exercise of the powers conferred by sections 2(4)(a) and 2(5) (b) of the Energy Act 2011, makes the following Order:

Citation and commencement

1. This Order may be cited as the Green Deal (Energy Efficiency Improvements) Order 2012 and comes into force the day after it is made.

Interpretation

2. In this Order—

“the Act” means the Energy Act 2011;

“biofuel” means liquid or gaseous fuel which is produced wholly from biomass;

“biomass” means material, other than fossil fuel, which is, or is derived directly or indirectly from, plant matter, animal matter, fungi or algae;

“micro combined heat and power” means a combined heat and power system with an electrical capacity of 50 kilowatts or less;

“micro wind generation” means a wind turbine or turbines with a nominal output of 300 watts or more but no more than 50 kilowatts measured at a wind speed of 11m/s.

Sources of energy specified for the purpose of section 2(4)(a) of the Act

3. The following sources of energy are specified for the purpose of section 2(4)(a) of the Act—
- (a) biofuel;
 - (b) biomass;
 - (c) coal;
 - (d) petroleum products within the meaning of section 21 of the Energy Act 1976⁽²⁾.

Measures specified under section 2(5)(b) of the Act

4. The measures of energy efficiency improvement in the Schedule to this Order are measures specified for the purposes of section 2(5)(b) of the Act.

Date

Secretary of State
Department of Energy and Climate Change

(2) 1976 c.76. Section 21 is amended by the Co-operative Development Agency and Industrial Development Act 1984 (c.57), section 5 and Schedule 1, Part II, and by S.I. 1989/992, article 6(4) and Schedule 2, paragraph 2(b).

SCHEDULE

Article 4

Specified energy efficiency improvements

The measures of energy efficiency improvement specified by article 4 are—

- (a) air source heat pumps;
- (b) biomass boilers;
- (c) biomass room heaters (with radiators);
- (d) ground source heat pumps;
- (e) micro combined heat and power;
- (f) micro wind generation;
- (g) photovoltaics;
- (h) solar water heating;
- (i) transpired solar collectors;
- (j) water source heat pumps.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies certain sources of energy for the purpose of section 2(4)(a) of the Energy Act 2011 (c.16) (“the Act”), and energy efficiency improvements for the purpose of section 2(5)(b) of the Act.

Article 3 specifies sources of energy for the purpose of determining whether a measure is an energy efficiency improvement under section 2(4)(a) of the Act. The effect of article 3 is that measures that improve efficiency in a property in the use of biofuel, biomass, coal or petroleum products are energy efficiency improvements.

Under article 4, the measures of energy efficiency improvements in the Schedule to this Order are specified for the purposes of section 2(5)(b) of the Act.

Section 2(4)(a) of the Act, and articles 3 and 4 and the Schedule to this Order, define the class of energy efficiency improvements.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Green Deal Legislation Team, Department of Energy and Climate Change, 3 Whitehall Place, London SW1A 2HH and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.