

# ENERGY ACT 2004

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2: Sustainability and Renewable Energy Sources**

##### *Chapter 1: Sustainable Energy*

##### *Section 81: Reports under section 1 of the Sustainable Energy Act 2003*

236. [Section 81](#) amends section 1 (annual reports on progress towards sustainable energy aims) of the Sustainable Energy Act 2003. The annual report required under the Sustainable Energy Act must now include information about the development and bringing into use of new energy sources and actions taken to maintain the levels of scientific and engineering expertise necessary for the development of new energy sources. The report will need to cover work carried out in relation to clean coal technology, coal mine methane, biomass, biofuels, fuel cells, photovoltaics, wave and tidal generation, hydrogeneration, microgeneration, geothermal sources and any other carbon-reducing technologies. The section also imposes a requirement for this annual report to look at actions taken to achieve the Government's energy efficiency aims designated under the Sustainable Energy Act.

##### *Section 82: Microgeneration*

237. [Section 82](#) requires the Secretary of State to prepare, publish, and take reasonable steps to implement, a strategy for the promotion of microgeneration in Great Britain. For the purposes of this strategy, microgeneration is defined as the generation of under 50kW electricity or, in relation to heat, the production of under 45kW thermal. The strategy will look at electricity and/or heat generated from biomass, biofuels, fuel cells, photovoltaics, water (including waves and tides), wind, solar power, geothermal sources, combined heat and power, and any other source of energy that will, in the opinion of the Secretary of State, help reduce greenhouse gas emissions. The section stipulates that the strategy must be published within 18 months of commencement of the relevant section of the Energy Act.

##### *Section 83: Sustainable development*

238. [Section 83](#) inserts a new duty into section 3A of the [Electricity Act 1989 \(c.29\)](#) and section 4AA of the [Gas Act 1986 \(c.44\)](#) which requires the Secretary of State and GEMA to carry out their respective functions under Part 1 of both Acts in a manner he or it considers is best calculated to contribute to the achievement of sustainable development.