



# Energy Act 2011

## 2011 CHAPTER 16

### PART 1

#### ENERGY EFFICIENCY

### CHAPTER 1

#### GREEN DEAL

##### *Delegation and exercise of functions*

### **31 Delegation and conferring of functions**

- (1) The Secretary of State may by order provide for the following functions conferred on the Secretary of State to be exercisable instead by a public body specified in the order—
  - (a) any function exercisable in connection with the scheme established by the framework regulations;
  - (b) any function exercisable under the framework regulations by virtue of section 6(4);
  - (c) any function under regulations made under section 16.
- (2) If the function of issuing a code of practice for the purposes of the scheme is specified in an order by virtue of subsection (1)(a), a draft of the code must be approved by the Secretary of State before the Secretary of State lays the draft before Parliament under section 39(2).
- (3) If the function of revoking a code of practice issued for the purposes of the scheme is specified in an order by virtue of subsection (1)(a), the code must not be revoked without the approval of the Secretary of State.
- (4) The Secretary of State may by order make provision conferring administration functions on—

---

*Status: This is the original version (as it was originally enacted).*

---

- (a) the Secretary of State;
  - (b) a public body specified in the order.
- (5) For the purposes of subsection (4) administration functions are functions in connection with the administration of any provision in licences under section 7 or 7A of the Gas Act 1986 or section 6(1)(c) or (d) of the Electricity Act 1989 made by virtue of section 17(3) of this Act.
- (6) An order made by virtue of subsection (1) or (4)(b) may provide for—
- (a) different functions to be exercisable by different public bodies;
  - (b) the same function to be exercisable by different public bodies in relation to different areas.
- (7) The Secretary of State may make payments to any public body specified in an order made by virtue of subsection (1).

### **32 Exercise of scheme functions on behalf of the Secretary of State or a public body**

- (1) This section applies to any function exercisable in connection with the scheme established by the framework regulations.
- (2) The Secretary of State may arrange for such a function to be exercised by any body or person on behalf of the Secretary of State.
- (3) A public body specified in relation to such a function in an order made by virtue of section 31(1)(a) may arrange for the function to be exercised by any other body or person on its behalf.
- (4) Arrangements under this section—
- (a) do not affect the responsibility for the exercise of the function;
  - (b) may include provision for payments to be made to the body or person exercising the function under the arrangements.

### **33 Duty to report**

- (1) This section applies if the function under section 3(1)(a) is specified in an order made by virtue of section 31(1)(a).
- (2) The Secretary of State may make regulations requiring the body specified in relation to that function in the order to—
- (a) collect information on the specified matters, and
  - (b) provide the Secretary of State with a report on those matters at the specified times.
- (3) In subsection (2) “specified” means specified in the regulations.