



Energy Act 2011

2011 CHAPTER 16

PART 1

ENERGY EFFICIENCY

CHAPTER 1

GREEN DEAL

Green deal plan

5 Terms of plan etc

- (1) For the purposes of section 1(4)(d), the conditions as to the terms of the plan and other matters are—
 - (a) the conditions set out in subsections (2) to (4), and
 - (b) such other conditions as are specified in the framework regulations.
- (2) The first condition is that the plan includes the following terms—
 - (a) a term in which the improver agrees to—
 - (i) the amounts of the payments in instalments and the intervals at which, and period for which, they are payable;
 - (ii) such other matters as are specified in the regulations;
 - (b) a term in which the improver confirms that any necessary permissions or consents have been obtained in respect of the improvements;
 - (c) a term providing that the green deal provider may not take a charge over any person's property by way of security for payments;
 - (d) a term providing that the green deal plan does not prevent the bill payer from changing the intervals at which energy bills are to be paid.
- (3) The second condition is that the plan does not include any of the following terms—

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2011, Section 5. (See end of Document for details)

- (a) a term making a person liable to make any payments under the green deal plan otherwise than in respect of the period for which the person is the bill payer in relation to the property;
 - (b) a term requiring the bill payer to make in any circumstances an early repayment of the whole or part of the amount outstanding under the green deal plan (except in accordance with the framework regulations or regulations under section 34, or provision made under them);
 - (c) a term providing for money to be advanced to the improver (except in accordance with the framework regulations or provision made under them).
- (4) The third condition is that the agreements mentioned in paragraph (a) of subsection (2) and the permissions and consents mentioned in paragraph (b) of that subsection have not been withdrawn before the end of the period of 14 days beginning with the last day on which they were given.
- (5) The conditions which may be specified in the framework regulations by virtue of subsection (1)(b) include, in particular—
- (a) a condition that the plan includes a term so specified enabling the early repayment of the whole or part of the amount outstanding under the plan and making provision as to the calculation of the amount payable and any fee,
 - (b) a condition that the plan includes a term so specified guaranteeing the improvements and making provision as to who is to benefit from the guarantee,
 - (c) a condition that the plan includes a term so specified as to how any problems with the improvements installed, or arising in connection with the installation of them, are to be dealt with, and
 - (d) a condition requiring the agreements mentioned in subsection (2)(a) to be in the form specified in the framework regulations.
- (6) References in this section to the agreements mentioned in subsection (2)(a) include references to the consent required by virtue of section 6(2)(a).

Commencement Information

I1 S. 5 in force at 21.3.2012 for specified purposes by [S.I. 2012/873](#), **art. 3(1)(b)(2)**

I2 S. 5 in force at 28.1.2013 in so far as not already in force by [S.I. 2013/125](#), **art. 2(b)**

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2011, Section 5.