



# Energy Act 2011

## 2011 CHAPTER 16

### PART 1

#### ENERGY EFFICIENCY

### CHAPTER 3

#### PRIVATE RENTED SECTOR: SCOTLAND

##### *Scottish non-domestic energy efficiency regulations*

#### **61 Scottish non-domestic energy efficiency regulations**

- (1) The Scottish Ministers may make regulations for the purpose of securing that a landlord of a Scottish non-domestic PR property—
  - (a) which is of such description of Scottish non-domestic PR property as is provided for by the regulations,
  - (b) in relation to which there is an energy performance certificate, and
  - (c) which falls below such level of energy efficiency (as demonstrated by the energy performance certificate) as is provided for by the regulations,may not let the property until the landlord has complied with the obligation mentioned in subsection (2).
- (2) The obligation is to make to the property such relevant energy efficiency improvements as are provided for by the regulations.
- (3) Regulations under this section are referred to in this Chapter as “Scottish non-domestic energy efficiency regulations”.
- (4) For the purposes of Scottish non-domestic energy efficiency regulations—

“energy performance certificate” has the meaning given by the Energy Performance (Scotland) Regulations;

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**Changes to legislation:** There are currently no known outstanding effects for the Energy Act 2011, Section 61. (See end of Document for details)

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“landlord” and “let the property” have the meaning given by the regulations (and “let the property” may be defined to include “continue to let the property”);

“relevant energy efficiency improvements” means improvements which—

- (a) are of such description as the regulations provide, and
  - (b) can be—
    - (i) wholly paid for pursuant to a green deal plan as provided for by Chapter 1 of this Part, or
    - (ii) financed by such other description of financial arrangement as the regulations provide.
- (5) The Scottish Ministers may by order amend the definition of “energy performance certificate” in subsection (4).
- (6) Scottish non-domestic energy efficiency regulations may come into force no earlier than 1 April 2015.

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**Commencement Information**

**II** S. 61 in force at 1.7.2019 by S.S.I. 2019/181, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2011, Section 61.