
STATUTORY INSTRUMENTS

2012 No. 3118

The Energy Performance of Buildings
(England and Wales) Regulations 2012

PART 6

Registration and Disclosure of Data Relating to Certificates and Reports

Disclosure of general access data

30.—(1) The keeper of the register may disclose general access data to any person if the conditions in paragraph (2) are met.

(2) The conditions are that—

- (a) a request for disclosure of the data to the person has been made by means of a website operated by the keeper;
- (b) the request includes at least one of the following—
 - (i) the full postcode of that building;
 - (ii) the name of the road or street on which, and the name of the city, town, village or parish in which that building is located; or
 - (iii) the report reference number of the valid energy performance certificate that relates to the building.
- (c) where the request is for data other than data required to be included in a display energy certificate, there is no opt-out in effect in respect of the data; and
- (d) the particular building to which the data relates is not an excluded building.

(3) In this regulation—

- (a) an opt-out is in effect in respect of data where—
 - (i) the owner or occupier of the building to which the data relates has notified the keeper that the data is not to be disclosed,
 - (ii) the notice was given in writing, or by electronic communication sent to an address or location specified by the keeper for the purpose of the receipt of such notices, and
 - (iii) the notice has not been withdrawn by the owner or occupier (by the means referred to in this sub-paragraph); and
- (b) “excluded building” means a building owned, occupied or used from time to time by or for the purposes of—
 - (i) the Security Service, the Secret Intelligence Service or the Government Communications Headquarters;
 - (ii) any of the armed forces;
 - (iii) the Royal Family;
 - (iv) a prison;

- (v) a contracted out prison within the meaning of the Criminal Justice Act 1991(1); or
- (vi) a young offender institution.

(1) 1991 c.53, see in particular section 84(4).