

## SCHEDULE

Regulation 10

### “SCHEDULE 2

Regulation 35(2)(e)

#### PART 1

The purposes are—

1. Promoting energy efficiency improvements (as defined in section 2 of the Energy Act 2011) (“energy efficiency improvements”) in relation to buildings.
2. Conducting research into, or developing or analysing policy (or policy proposals) in relation to, the energy efficiency of buildings.
3. Conducting research into the effectiveness or impact of energy efficiency improvements.
4. Identifying geographic areas where the energy efficiency of buildings is low relative to other areas, or conducting research into the extent, causes or consequences of such lower levels of efficiency.
5. Promoting and marketing energy efficiency improvements that may be made pursuant to a green deal plan.
6. Identifying and analysing the impact of carbon emissions on the environment resulting from buildings with low levels of energy efficiency.
7. Determining whether energy efficiency improvements that may be made pursuant to a green deal plan have or have not been made in respect of a particular building or buildings.

Regulation 35(2)(f)

#### PART 2

The conditions are—

1. The authorised recipient is, until the data is deleted from the authorised recipient’s records and systems (so that the personal data is no longer accessible by any means by the authorised recipient) a data controller within the meaning of section 1(1) of the Data Protection Act 1998 in relation to the information disclosed.
2. The authorised recipient must not—
  - (a) disclose any personal data contained in or derived from data disclosed to them under regulation 35 to any other person without the consent of the person who is the subject of the data;
  - (b) use such personal data in order to contact an individual for the purpose of marketing or promoting products or services which do not relate to energy efficiency.
3. The authorised recipient must not make contact with any person (“the subject”) whose identity or contact details (or both) have become known to the authorised recipient from data disclosed to the authorised recipient under regulation 35 unless—
  - (a) the authorised recipient advises the subject, at the time contact is first made that—
    - (i) their identity or contact details (or both) have been obtained from the keeper of the register under that regulation, and

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- (ii) the subject is entitled to refuse to receive any further communications from the authorised recipient; and
  - (b) the first contact with the subject is made by means of written communication (including electronic communication) only.
4. The authorised recipient must not make further contact with a person if the person has informed the authorised recipient that they do not wish to receive any further communications from the authorised recipient.
5. If the authorised recipient has on three separate occasions made contact with a person (“the subject”) whose identity or contact details (or both) have become known to the authorised recipient from data disclosed to them under regulation 35 and received no response from the subject within fourteen days of the date of the third contact, the authorised recipient—
- (a) must not attempt to contact the person again; and
  - (b) must, as soon as reasonably practicable (and in any event within fourteen days of the receipt of a request made by or on behalf of the subject to do so) delete any personal data contained in or derived from data disclosed to the authorised recipient under regulation 35 from its records and systems (so that the personal data is no longer accessible by any means by the authorised recipient).
6. The authorised recipient must, as soon as reasonably practicable (and in any event within fourteen days of the receipt of a request made by or on behalf of the subject to do so) delete any personal data contained in or derived from data disclosed to the authorised recipient under regulation 35 from its records and systems (so that the personal data is no longer accessible by any means by the authorised recipient) if the person who is the subject of the data requests the authorised recipient to do so.
7. The authorised recipient must ensure that its officers and employees comply with the conditions in paragraphs 1 to 7 above.

## SCHEDULE 3

Regulation 37

### PART 1

#### ENERGY PERFORMANCE CERTIFICATES

1. For data from which an Energy Performance Certificate for a residential property (as defined in regulation 6(7)) may be produced:
- (a) a small data pack means a set of data containing the following information concerning the property: the address (including the postcode), the energy rating, the potential energy rating, the energy efficiency, the potential energy efficiency, the property type, the inspection date, the region, local authority area, constituency and county where it is located and the date the data was entered onto the register.
  - (b) A medium data pack means a set of data containing the data described in paragraph 1 (a), together with the following additional information concerning the property: the transaction type, the current environment impact, the potential environment impact, the current energy consumption, the potential energy consumption, the current Co2 emissions, the current Co2 emissions per floor area, the potential Co2 emissions, the current lighting cost, the potential lighting cost, the current heating cost, the potential heating cost, the current hot water cost, the potential hot water cost, the total floor area, the energy tariff, whether the

property is connected to the gas network, the floor level, whether the property is on the top floor (for flats), if the property is a flat not on the top floor the storey count for the property, the overall dimensions and size of the building, the type of heating controls, the proportion of windows which are multi-glazed, the types of glazing and the area glazed, the number of extensions to the property, the number of habitable rooms, the number of heated rooms, the proportion of low energy light bulbs and the number of open fireplaces.

- (c) A large data pack means a set of data containing the data described in paragraphs 1(a) and (b), together with any additional data entered onto register pursuant to regulation 31 from which an Energy Performance Certificate (or any information contained within such a Certificate) may be produced in relation to the property.

2. For data from which an Energy Performance Certificate for a property other than a residential property may be produced:

- (a) a small data pack means a set of data containing the following information concerning the property: the address (including the postcode), the energy rating, the property type, the inspection date, the region, local authority area, constituency and county where it is located and the date the data was entered onto the register.
- (b) A medium data pack means a set of data containing the data described in paragraph 2 (a), together with the following additional information concerning the property: the transaction type, the benchmark against other new build or existing properties as appropriate, whether the property is a level 3, 4 or 5 building, the main heating fuel, the other fuel description, whether the property is air-conditioned, whether the property has specialised energy requirements, the renewable sources of energy (if any) used by the property and the floor area.
- (c) A large data pack means a set of data containing the data described in paragraphs 2(a) and (b), together with together with any additional data entered onto register pursuant to regulation 31 from which an Energy Performance Certificate (or any information contained within such a Certificate) may be produced in relation to the property.

## PART 2

### DISPLAY ENERGY CERTIFICATES

3. For data from which a Display Energy Certificate may be produced:

- (a) a small data pack means a set of data containing the following information concerning the property in question: the address (including the postcode), the energy rating, the proportion of Co2 emissions attributable to electricity used in the property, the proportion of Co2 emissions from energy used to heat the property, the proportion of Co2 emissions from renewables used in the property, the property type, the inspection date, the region, local authority area, constituency and county where it is located and the date the data was entered onto the register.
- (b) A medium data pack means a set of data containing the data described in paragraph 3 (a), together with the following additional information concerning the property: the benchmark against other new build or existing properties as appropriate, whether the property is a level 3, 4 or 5 building, the main heating fuel, the other fuel description, whether the building is air-conditioned, whether the building has specialised energy requirements, the sources of renewable energy (if any) used by the property, the floor area and the building level.
- (c) A large data pack means a set of data containing the data described in paragraphs 3(a) and (b), together with any additional data entered onto register pursuant to regulation 31

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from which a Display Energy Certificate (or any information contained within such a Certificate) may be produced in relation to the property in question.

## PART 3

### AIR-CONDITIONING INSPECTION REPORTS

4. For data from which an inspection report may be produced:
  - (a) a small data pack means a set of data containing the following information concerning the property in question: the address (including the postcode), the property type, the inspection date, the region, local authority area, constituency and county where it is located and the date the data was entered onto the register.
  - (b) A medium data pack means a set of data containing the data described in paragraph 4 (a), together with the following additional information: the name of the equipment owner, their telephone number, the name of their organisation, the owner's address (including the town, city or parish and postcode), the person responsible for the operation of the air-conditioning equipment, the operator's employer, the operator's address (including the town, city or parish and postcode) and the name of the building.
  - (c) A large data pack means a set of data containing the data described in paragraphs 4(a) and (b), together with any additional data entered onto register pursuant to regulation 31 from which the inspection report (or any information contained within the report) may be produced."