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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2020 No.**

**The Energy Efficiency (Domestic Private  
Rented Property) (Scotland) Regulations 2020**

**PART 2**

**Minimum level of energy efficiency**

**Sub-standard property**

5. For the purposes of these Regulations—
- (a) a domestic PR property is “sub-standard” where the energy performance indicator of the property included in the valid energy performance certificate for the property indicates that the energy efficiency or performance of the property is rated as being below the minimum level of energy efficiency,
  - (b) “minimum level of energy efficiency”, means—
    - (i) in respect of the period from the date of commencement of these Regulations until 31 March 2022, an energy performance indicator of E(1),
    - (ii) in respect of the period from and after 1 April 2022, an energy performance indicator of D,
  - (c) an energy performance certificate for a property is “valid” where—
    - (i) it was entered on the register required to be maintained by regulation 10 of the EPB Regulations no more than 10 years before the date on which it is relied on for the purposes of these Regulations, and
    - (ii) no other energy performance certificate for the property has since been entered on that register.

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(1) In terms of regulation 2(1) of the Energy Performance of Buildings (Scotland) Regulations 2008 as amended by [S.S.I. 2012/208](#) the energy performance indicator is an indication of the energy efficiency or performance rating of a property and is expressed on a scale of A to G with G representing the lowest rating.