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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 146**

**The Assessment of Energy Performance of Non-domestic Buildings (Scotland) Regulations 2016**

**PART 5**

**Register of energy improvement data**

**Disclosure of bulk access data**

**18.**—(1) The keeper of a register may disclose energy improvement data to an authorised recipient or an approved organisation if all of the conditions in paragraph (2) are met.

(2) The conditions are that—

- (a) the authorised recipient or an approved organisation has made a request for one or more specific descriptions of data to the keeper;
- (b) the request is made—
  - (i) by means of a website operated by the keeper; or
  - (ii) by electronic communication sent to an address or location specified by the keeper for the purpose of the receipt of such requests;
- (c) the data does not include any information revealing the location of an excluded building (or any information from which the location of such a building can be deduced);
- (d) the disclosure is made subject to the condition that the data is to be used by the recipient solely for one or more of the purposes described in Part 2 of Schedule 1 to the 2008 Regulations; and
- (e) the data does not relate only to a particular building or building unit.

(3) The keeper may refuse to disclose information under paragraph (1) where the person who requests the disclosure has previously failed to comply with a condition of the kind referred to in paragraph (2)(d).