
DRAFT STATUTORY INSTRUMENTS

2008 No.

**The Electricity and Gas (Carbon
Emissions Reduction) Order 2008**

PART 3

Qualifying actions, notifications and approvals

Approval of actions by the Authority

- 12.**—(1) The Authority must determine whether or not it approves an action as a qualifying action.
- (2) Where the Authority approves an action, it must be satisfied that the action is promoted in accordance with article 10.
- (3) Subject to paragraph (4), the Authority must not approve an action as a market transformation action where—
- (a) there exists a similar action to the type of action intended to be promoted; and
 - (b) the action to be promoted does not achieve a significantly greater reduction in carbon emissions than that similar action.
- (4) Paragraph (3) does not apply to the promotion of solid wall insulation or micro-cogeneration units.
- (5) For the purposes of paragraph (3) the Authority must compare the carbon emissions reduced by the particular action with the benchmark action.
- (6) The benchmark action means the action under the 2001 Order which achieved the greatest carbon emission reductions for an action of that type.
- (7) The Authority must not approve an action as a demonstration action unless—
- (a) it is satisfied that the information provided under article 11(3)(a) is reasonable; and
 - (b) the supplier consents to the to the publication of information in relation to the monitoring and assessment of the action.
- (8) The Authority must notify the supplier of its determination under this article and give reasons for it.