
DRAFT STATUTORY INSTRUMENTS

2012 No.

**The Green Deal Framework (Disclosure,
Acknowledgment, Redress etc.) Regulations 2012**

PART 4

**Requirements which apply to green deal
certification bodies and green deal participants**

CHAPTER 1

Requirements which apply to green deal certification bodies

Requirements which apply to green deal certification bodies

- 19.—**(1) A green deal certification body must—
- (a) comply with any provisions of the code of practice which apply to that body;
 - (b) keep its membership list up to date;
 - (c) notify the Secretary of State of—
 - (i) any change to its membership list, together with the information in Schedule 1 which relates to the change;
 - (ii) the cessation of its accreditation;within 10 days of the change or cessation occurring; and
 - (d) provide to the Secretary of State each year a written report which—
 - (i) for a green deal assessor certification body, contains the information in paragraph (2);
 - (ii) for a green deal installer certification body, contains the information in paragraph (3).
- (2) The information to be included in a green deal assessor certification body's written report is—
- (a) the number of qualifying assessments carried out during the reporting period by persons who were on its membership list during that period;
 - (b) the number of customer complaints received by the certification body in the reporting period regarding assessments carried out by persons who were on its membership list during that period, and information on how these complaints have been dealt with;
 - (c) information on any monitoring of assessments carried out by persons on its membership list which has been conducted by the certification body during the reporting period, the findings of any such monitoring and any action taken as a result of monitoring;
 - (d) any other information which the Secretary of State requests in connection with qualifying assessments carried out by persons who were on the certification body's membership list during the reporting period.
- (3) The information to be included in a green deal installer certification body's written report is—

- (a) the total number of installations carried out in connection with green deal plans during the reporting period by persons who were on its membership list during that period;
 - (b) the number of such installations carried out during the reporting period by each person who was on its membership list during that period;
 - (c) the number of customer complaints received by the certification body in the reporting period regarding installations carried out in connection with green deal plans by persons who were on its membership list during the reporting period, and how those complaints were dealt with;
 - (d) information on any monitoring of installations carried out by persons on its membership list which has been conducted by the certification body during the reporting period, the findings of any such monitoring and any action taken as a result of monitoring;
 - (e) any other information which the Secretary of State requests in connection with installations in connection with green deal plans by the persons who were on the certification body's membership list during the reporting period.
- (4) A report under paragraph (1)(d) must be provided by 30th November immediately after the end of the reporting period.

Changes to a membership list – update to registers

20. Where the Secretary of State receives notification pursuant to regulation 19(1)(c)(i) that there has been a change to a membership list, the Secretary of State must as soon as is reasonably practicable update the relevant register where a person (“P”) has been—

- (a) added to a membership list and does not appear on the relevant register, by including the information in paragraphs 1 to 5, and section 3 or section 5, of Schedule 1 in respect of P;
- (b) added to a membership list and appears on the relevant register, by amending the information included under paragraph 6, and including the information, where applicable, under paragraph 7, of Schedule 1 in respect of P;
- (c) removed from a membership list, by including the information, where applicable, in paragraphs 6 and 8 of Schedule 1 in respect of P.

Cessation of accreditation – update to registers

21. Where the accreditation of a green deal certification body ceases, the Secretary of State must as soon as is reasonably practicable update the relevant registers by including the information in paragraphs 6 and 8 of Schedule 1 in respect of—

- (a) that green deal certification body; and
- (b) where applicable, the persons on its membership list.

CHAPTER 2

Requirements which apply to green deal assessors and green deal installers

Requirements which apply to green deal assessors

22. A green deal assessor must—

- (a) ensure that any qualifying assessment it carries out meets the requirements of regulation 7; and
- (b) comply with any provisions of the code of practice which apply to green deal assessors.

Requirements which apply to green deal installers

23. A green deal installer must comply with any provisions of the code of practice which apply to green deal installers.

CHAPTER 3

Requirements which apply to green deal providers

Requirements which apply to green deal providers

24.—(1) A green deal provider must—

- (a) comply with any provisions of the code of practice which apply to green deal providers;
- (b) enter into and comply with the Green Deal Arrangements Agreement;
- (c) participate in the Green Deal Ombudsman Scheme;
- (d) provide the Secretary of State, in such form as may be specified by the Secretary of State—
 - (i) at the time it complies with section 8(4) in relation to a green deal plan, with the information in paragraph (2);
 - (ii) each year, in respect of the reporting period, with a report containing the information listed in Schedule 2.

(2) The information to be provided under paragraph (1)(d)(i) is—

- (a) if known by the green deal provider, which of the following occupied the property at the time the plan was entered into—
 - (i) the relevant title holder;
 - (ii) a tenant under a lease of the property;
 - (iii) a licensee under a licence of the property;
 - (iv) an occupier;
- (b) where the property was occupied by a tenant at the time the plan was entered into, information on the type of that lease, if known by the green deal provider;
- (c) the total amount payable by the improver and the bill payer in respect of the improvements, including any amount payable—
 - (i) in respect of the installation of the improvements; and
 - (ii) which is not a green deal instalment;
- (d) whether the green deal provider gave the improver or bill payer any cash advance or other incentive to enter into the plan, and details of any such incentive;
- (e) details of the green deal installer who installed the improvements;
- (f) where the property is a non-domestic property, the type of business that was to be carried on at the property after installation of the improvements.

(3) A report under paragraph (1)(d)(ii) must be provided by 30th November immediately after the end of the reporting period.

(4) The requirement in paragraph (1)(a) applies in relation to an energy plan which the parties to it intended to be a green deal plan, whether or not it became a green deal plan.

Notifications concerning consumer credit

25. A green deal provider authorised in relation to domestic properties must notify the Secretary of State as soon as is reasonably practicable if—

- (a) its consumer credit licence is revoked; or
- (b) it ceases to be a person not required to hold a consumer credit licence by virtue of section 21 of the 1974 Act⁽¹⁾.

Ensuring energy plans are green deal plans and that instalments can be collected on energy bills

26.—(1) Where a green deal provider is to enter into an energy plan which the parties to it intend to be a green deal plan, the provider must ensure that the following are complied with—

- (a) the requirements in section 1(4)(a), (b) and (e); and
- (b) the conditions set out in section 4(2) to (9) and 5(2) to (4) and regulations 27, 28 and 30 to 36.

(2) Before the first instalment under a green deal plan is collected by the relevant energy supplier, the green deal provider in respect of that plan must ensure that—

- (a) the improvements have been installed in accordance with section 7; and
- (b) the conditions in section 8(2) and (4) have been met.

(1) 1974 c.39; section 21 was amended by the Consumer Credit Act 2006 (c.14), section 33(1). It is also amended by the Energy Act 2011 (c.16), section 26, which has not yet been commenced.