
DRAFT STATUTORY INSTRUMENTS

2012 No.

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

PART 8

Enforcement

CHAPTER 3

When sanctions may be imposed

Sanctions for breaches of the consent provision

65.—(1) This regulation applies where the Secretary of State is satisfied that there is a breach of the consent provision.

(2) If the Secretary of State is satisfied that the improvement for which the necessary permission or consent should have been obtained—

(a) has been removed from the property, the Secretary of State may impose cancellation;

(b) has not been removed from the property, the Secretary of State must impose cancellation, on the relevant person.

(3) Where cancellation is imposed on the relevant person, the Secretary of State—

(a) except where sub-paragraph (b) applies, must impose compensation;

(b) where a person other than the improver is wholly or partly responsible for the breach, may impose compensation,

on the improver.

(4) Where paragraph (3)(b) applies, imposing compensation means that the Secretary of State requires the improver to pay to the relevant person such amount (as a fixed sum or in instalments) as the Secretary of State may determine, being an amount not exceeding the sum payable under paragraph (a) of the definition of compensation in regulation 51.