Deregulation Act 2015

2015 CHAPTER 20

The environment etc

57 Reduction of duties relating to energy and climate change

(1) In the Climate Change and Sustainable Energy Act 2006, omit the following—

(a) section 3 (which imposes a duty on local authorities to have regard to energy measure reports published by the Secretary of State);

(b) sections 4 and 5 (which confer functions on the Secretary of State with respect to the setting of national targets for microgeneration etc);

(c) sections 7(1) to (6) and 8 (which confer functions on the Secretary of State for the purpose of increasing the sale of electricity generated by microgeneration);

(d) section 10 (which confers functions on the Secretary of State with respect to the review of development orders to facilitate the installation in dwelling-houses of equipment etc for microgeneration);

(e) section 12 (which is spent);

(f) section 21 (which imposes a duty on the Secretary of State with respect to promoting the use of heat produced from renewable sources).

(2) Section 14 of that Act (which confers functions on the Secretary of State and Welsh Ministers with respect to the laying of reports before Parliament or (as the case may be) the National Assembly for Wales about steps taken to secure greater compliance with building regulations made for energy conservation related purposes etc) ceases to apply in relation to England.

(3) In consequence of subsection (1)—

(a) in the Taxation of Chargeable Gains Act 1992, in section 263AZA(2), for the definition of "microgeneration system" substitute—

""microgeneration system" means any plant (including any equipment, apparatus or appliance) or system of plant for generating electricity or producing heat—

(a) which, in generating electricity or (as the case may be) producing heat, relies wholly or mainly on a source of energy

or a technology mentioned in subsection (7) of section 82 of the Energy Act 2004, and

(b) whose capacity to generate electricity or (as the case may be) to produce heat does not exceed the capacity mentioned in subsection (8) of that section,";

(b) in the Income Tax (Trading and Other Income) Act 2005, in section 782A(2), for the definition of "microgeneration system" substitute—

""microgeneration system" has the same meaning as in section 263AZA of the Taxation of Chargeable Gains Act 1992."

(4) In consequence of subsection (1)—

(a) in the Sustainable Energy Act 2003, omit section 1(1A)(bb);

(b) in the Climate Change Act 2008, omit section 81(3);

(c) in the Energy Act 2008, omit section 87(2).

(5) The repeal made by subsection (1)(c) does not affect the operation of section 33(1)(c) of the Utilities Act 2000 in relation to times after the repeal comes into force; and, accordingly, modifications of standard conditions made under section 7 of the Climate Change and Sustainable Energy Act 2006 before the day on which the repeal comes into force continue to have effect on or after that day for the purposes of section 33(1) of that Act of 2000.