

SCHEDULES

SCHEDULE 18

HEAT NETWORKS REGULATION

PART 2

GENERAL PROVISION AS TO THE REGULATOR

Objectives

- 2 (1) The regulations may make provision about the objectives of the Regulator in carrying out its functions under the regulations.
- (2) Regulations made by virtue of [sub-paragraph \(1\)](#) may, in particular, provide that the principal objective of the Regulator is to protect the interests of existing and future heat network consumers.
- (3) The regulations may specify particular interests of existing and future heat network consumers that are to be protected.
- (4) The interests specified may, in particular, include—
- (a) their interests in the reliability of the supply of heating, cooling or hot water by means of relevant heat networks;
 - (b) their interests in the reduction of emissions of targeted greenhouse gases generated by relevant heat networks;
 - (c) their interests in charges for the supply of heating, cooling or hot water by means of relevant heat networks being proportionate;
 - (d) their interests in information about services and charges being communicated plainly.

General duties

- 3 (1) The regulations may make provision about the duties of the Regulator in carrying out its functions under the regulations.
- (2) The duties may, in particular, include—
- (a) a duty to carry out its functions in a manner best calculated to further its objectives;
 - (b) a duty to consider, when carrying out its functions, the need to ensure that persons carrying out activities under a heat network authorisation or under an installation and maintenance licence are able to finance obligations imposed by or under the regulations;
 - (c) a duty to have regard to the interests of heat network consumers who are in vulnerable circumstances when performing duties imposed by regulations made by virtue of [paragraph \(a\)](#) or [\(b\)](#).

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- (3) Regulations made by virtue of [sub-paragraph \(2\)\(a\)](#) may require that the Regulator promote effective competition between persons engaged in, or in commercial activities connected with, the supply of heating, cooling or hot water by means of relevant heat networks.
- 4 (1) The regulations may provide for the Regulator to have regard, in carrying out a function under the regulations, to—
- (a) the interests of existing and future consumers in relation to electricity conveyed by distribution systems or transmission systems (within the meaning of the Electricity Act 1989);
 - (b) the interests of existing and future consumers in relation to gas conveyed through pipes (within the meaning of the Gas Act 1986);
 - (c) any interests of existing and future consumers in relation to—
 - (i) communications services and electronic communications apparatus, or
 - (ii) water services or sewerage services (within the meaning of the Water Industry Act 1991),
 which are affected by the carrying out of that function.
- (2) The regulations may provide for persons or bodies exercising regulatory functions in those fields to have regard, in carrying out a regulatory function, to the interests of existing or future consumers in relation to the supply of heating, cooling or hot water by means of relevant heat networks.

Delegation of functions

- 5 (1) The regulations may provide for the Regulator to delegate functions conferred on the Regulator by the regulations.
- (2) The regulations may specify functions which may be delegated only with the consent of the Secretary of State or, as the case may be, the Department.

Monitoring, records and information

- 6 (1) The regulations may require the Regulator to keep under review the carrying on of activities connected with heat networks in the part or parts of the United Kingdom in relation to which the Regulator has functions under the regulations.
- (2) The regulations may require the Regulator to monitor such matters relating to the activities regulated by the regulations or the persons who carry on those activities as the regulations may specify.
- (3) The regulations may, for the purposes of enabling the Regulator to perform a duty imposed by regulations made by virtue of [sub-paragraph \(2\)](#), make provision enabling the Regulator to require information to be supplied.
- 7 (1) The regulations may require the Regulator to collect information with respect to activities connected with heat networks and the persons who carry on those activities for such purposes as are specified in the regulations.
- (2) The regulations may, in particular, require the Regulator to collect information relating to standards of performance achieved by—
- (a) persons who hold a heat network authorisation;

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- (b) licensed code managers;
 - (c) persons who hold an installation and maintenance licence.
- 8 (1) The regulations may make provision requiring the Regulator to maintain records.
- (2) Regulations made by virtue of [sub-paragraph \(1\)](#) may, in particular, make provision requiring the Regulator to maintain records relating to—
 - (a) persons whose application for a heat network authorisation, a code manager licence or an installation and maintenance licence has been refused;
 - (b) persons whose heat network authorisation, code manager licence or installation and maintenance licence has been revoked.
- (3) The regulations may make provision enabling or requiring the Regulator to provide information from its records to—
 - (a) the Secretary of State or a person specified by the Secretary of State,
 - (b) the Department or a person specified by the Department, or
 - (c) the Scottish Ministers or a person specified by the Scottish Ministers.
- 9 (1) The regulations may make provision restricting the disclosure of information obtained by the Regulator under or by virtue of the regulations, subject to exceptions specified in the regulations.
- (2) The regulations may make provision about the disclosure to the Regulator of information held by other persons or bodies.
- 10 (1) The regulations may make provision for the purpose of securing that a disclosure of information which is authorised or required by the regulations does not contravene the data protection legislation.
- (2) In this paragraph, “the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3(9) of that Act).

Other general provision

- 11 (1) The regulations may make other general provision about the Regulator.
- (2) Regulations made by virtue of [sub-paragraph \(1\)](#) may, in particular, make provision about—
 - (a) preparing and publishing documents about—
 - (i) strategy and policies;
 - (ii) plans for future work;
 - (b) publishing reports annually;
 - (c) publishing financial information in annual accounts;
 - (d) preparing and publishing impact assessments.
- (3) Regulations made by virtue of [sub-paragraph \(1\)](#) may make provision about preparing, issuing, reviewing and revising guidance.
- (4) Regulations made by virtue of [sub-paragraph \(1\)](#) may provide for the publication of information and advice for the purpose of promoting the interests of existing and future heat network consumers.