



Energy Act 2023

2023 CHAPTER 52

PART 11

ENERGY SAVINGS OPPORTUNITY SCHEMES

Assessments, energy savings and emissions reductions

259 Action to achieve energy savings or emissions reductions

- (1) ESOS regulations may make provision—
 - (a) imposing requirements (other than the requirements referred to in [paragraph \(b\)](#)) on participants so as to encourage them to—
 - (i) take specified action for the purpose of achieving energy savings or emissions reductions, or
 - (ii) achieve specified energy savings or emissions reductions, or
 - (b) requiring participants to—
 - (i) take specified action for the purpose of achieving energy savings or emissions reductions, or
 - (ii) achieve specified energy savings or emissions reductions.
- (2) The kinds of action that may be specified for the purposes of [subsection \(1\)](#) are—
 - (a) taking action in accordance with a recommendation made in an ESOS assessment;
 - (b) taking action in accordance with an ESOS action plan;
 - (c) taking any other action of a specified kind;
 - (d) taking action to achieve a target included in an ESOS action plan;
 - (e) taking action to achieve any other specified outcome;
 - (f) adopting processes, practices or systems of a specified kind;
 - (g) conforming to specified standards.
- (3) The provision that may be made by virtue of [subsection \(1\)\(a\)](#) includes in particular—
 - (a) provision requiring a participant to report—

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 259. (See end of Document for details)

- (i) on whether the participant has taken the specified action, or on the steps taken by the participant towards doing so, or
 - (ii) on whether the participant has achieved the specified energy savings or emissions reductions, or on the progress made by the participant towards doing so;
 - (b) provision requiring a participant to provide an explanation for any of the matters mentioned in [paragraph \(a\)](#).
- (4) Provision made by virtue of [subsection \(1\)\(b\)](#) may include a requirement for a participant to report on action taken or energy savings or emissions reductions achieved.
- (5) Regulations made by virtue of [subsection \(1\)](#) may make provision—
- (a) requiring participants to produce and retain evidence;
 - (b) about the verification of matters about which the participant has reported;
 - (c) about the publication of reports.
- (6) ESOS regulations may—
- (a) specify the requirements imposed on a participant by virtue of [subsection \(1\)](#) by reference to a cost-benefit analysis;
 - (b) specify circumstances in which a participant is required to take action;
 - (c) impose a requirement to take a specified action on all participants in an energy savings opportunity scheme, or on all participants of a specified description.

Commencement Information

II S. 259 in force at Royal Assent, see [s. 334\(2\)\(m\)](#)

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