# STATUTORY INSTRUMENTS

# 2012 No. 3118

# BUILDING AND BUILDINGS, ENGLAND AND WALES

The Energy Performance of Buildings (England and Wales) Regulations 2012

Made - - - - 17th December 2012
Laid before Parliament 19th December 2012
Coming into force 9th January 2013

# THE ENERGY PERFORMANCE OF BUILDINGS (ENGLAND AND WALES) REGULATIONS 2012

### PART 1

# Introductory

- 1. Citation, application, extent and commencement
- 2. Interpretation
- 3. Meaning of "prospective buyer or tenant"
- 4. Recommendation reports

# PART 2

# Duties relating to Energy Performance Certificates

- 5. Application of Part 2
- 6. Energy performance certificates on sale and rent
- 7. Energy performance certificates on marketing
- 7A Energy performance certificates on construction
- 8. Buildings to be demolished
- 9. Energy performance certificates
- 9A Energy performance certificates in respect of excluded buildings
- 10. Display of energy performance certificates
- 11. Statement of energy performance rating
- 12. Production of copies of energy performance certificates
- 13. Electronic service of energy performance certificates

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Energy Performance of Buildings (England and Wales) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- 17. Application and interpretation of Part 4
- 18. Inspections of air-conditioning systems
- 19. Reports
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- 21. Changes of relevant person

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# **Energy Assessors**

- 22. Accreditation schemes
- 23. Related party disclosures
- 24. Duty of care
- 25. Right to copy documents
- 26. Meaning of energy assessment

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#### Registration and Disclosure of Data Relating to Certificates and Reports

- 27. Registration of certificates etc
- 28. Fees for entering data onto register
- 29. Disclosure of data: general
- 30. Disclosure of general access data
- 30A Publication of bulk access data on a website
- 31. Disclosure of bulk access data
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- 33. Fee for disclosure of bulk access data

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#### Enforcement

- 34. Enforcement authorities
- 34A Enforcement and local authority buildings
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- 35. Power to require production of documents
- 36. Penalty charge notices
- 37. Defence when energy performance certificate unobtainable
- 38. Penalty amount
- 39. Reviews
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- 41. Recovery of penalty charges
- 42. Service of documents
- 43. Offences relating to enforcement officers

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- 44. Application to the Crown
- 45. Duty to cooperate
- 46. Revocations
- 47. Review Signature

SCHEDULE A1 — Green deal information

PART 1 — Green deal information to be included in energy performance certificates

- 1. The information about a green deal plan to be included...
- 2. The date on which the energy performance certificate ceases to...
- 3. A statement indicating that a new energy performance certificate should...
- 4. A statement— (a) indicating that improvements have been installed at...
- 5. A statement indicating— (a) that a green deal plan is...
- 6. Where the green deal plan is a regulated consumer credit...
- 7. Where the green deal plan is not a regulated consumer...
- 8. A statement indicating that—(a) the outstanding credit under the...
- 9. Where a term has been included in a green deal...
- 10. The unique reference number assigned to the green deal plan....
- 11. The name of the person ("G") who is the green...
- 12. G's electronic mail address and telephone number.
- 13. The date on which the payment period starts and the...
- 14. The amount payable under the green deal plan—
- 15. The rate of interest charged under the green deal plan....
- 16. A statement indicating whether the interest rate charged under the...
- 17. Where, in accordance with regulation 33(b) of the Green Deal...
- 18. The estimated first year savings.
- 19. Where the green deal property is a domestic property, a...
- 20. Where the green deal property is a non-domestic property, a...
- 21. In respect of each improvement installed at the green deal...
- 22. A statement advising the person receiving the energy performance certificate—...
- 23. A statement indicating that—(a) the improvements installed under the...
- 24. A statement indicating that further information is contained in the...
- 25. Where G knows or has reasonable cause to believe that...
- 26. Where G knows or has reasonable cause to believe that...

PART 2 — Interpretation

# SCHEDULE B1 — Specified data items for online publication

- 1. In this Schedule, "residential building" means premises in England or...
- 2. For data from which an energy performance certificate for a...
- 3. For data from which an energy performance certificate for a...
- 4. For data from which a display energy certificate may be...
- 5. For data from which an inspection report may be produced,...

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PART 1
PART 2

SCHEDULE 2 — Meanings of regular and large data packs

PART 1 — Energy Performance Certificates

- 1. In this Part, "residential property" means premises in England and...
- 2. For data from which an energy performance certificate for a...
- 3. For data from which an energy performance certificate for a... PART 2 Display Energy Certificates
- 4. For data from which a display energy certificate may be...
  - PART 3 Air-conditioning Inspection Reports
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SCHEDULE 3 — Revocation of Regulations

**Explanatory Note** 

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# Changes and effects yet to be applied to:

- reg. 7A amendment to earlier affecting provision S.I. 2010/2215, reg 20(1) by S.I. 2024/447 reg. 3(h)
- reg. 7A applied (with modifications) by S.I. 2024/110 reg. 5(12)
- reg. 32(1)(c) words substituted by S.I. 2024/110 reg. 39(1)
- reg. 32(1)(c) words substituted by S.I. 2024/447 reg. 5