
STATUTORY INSTRUMENTS

2013 No. 10

The Energy Performance of Buildings (England and Wales) etc. (Amendment) Regulations 2013

PART 3

Amendments to the 2012 Regulations

Amendments to the 2012 Regulations

7. The 2012 Regulations are amended in accordance with regulations 8 to 14.

Amendments to regulation 2

- 8.—(1) In regulation 2 (interpretation), paragraph (1) is amended as follows.

- (2) Before the definition of “accreditation scheme” insert—

““Green Deal Framework Regulations” means the Green Deal Framework (Disclosure, Acknowledgment, Redress etc.) Regulations 2012(1);”.

- (3) After the definition of “general access data” insert—

““green deal disclosure obligations” means the obligations to provide an energy performance certificate in section 12 of the Energy Act 2011(2) and Part 7 of the Green Deal Framework Regulations;

“green deal information” means the information about a green deal plan that is required by regulation 9(1)(ea) to be included in an energy performance certificate for a green deal property;”.

- (4) After the definition of “green deal plan” insert—

““green deal property” has the meaning given in section 12(5)(b) of the Energy Act 2011;”.

- (5) For the definition of “green deal relevant person” substitute—

““green deal relevant person” means a person who is authorised as—

- (a) a green deal provider; or
(b) a green deal assessor certification body,

in accordance with Part 2 of the Green Deal Framework Regulations;”.

- (6) After the definition of “operational rating” insert—

““payment period” has the meaning given in regulation 2(1) of the Green Deal Framework Regulations;”.

Amendments to regulation 9

- 9.**—(1) Regulation 9 (energy performance certificates) is amended as follows.
- (2) In paragraph (1)(e)(iv) omit “and”.
- (3) After paragraph (1)(e) insert—
- “(ea) where it relates to a building or a building unit which is a green deal property, include the information specified in Schedule A1 in connection with each green deal plan that has been entered into in respect of that green deal property and for which payments are still to be made under that plan; and”.
- (4) In paragraph (1)(f), after “valid” insert “for the purposes of this Part”.
- (5) After paragraph (2) insert—
- “(2A) An energy performance certificate is only valid for the purposes of complying with the green deal disclosure obligations if it was—
- (a) issued by an energy assessor; or
- (b) produced under regulation 30 pursuant to a request for the disclosure of general access data relating to a green deal property,
- no more than twelve months before the date on which the energy performance certificate is provided in connection with those obligations.”.
- (6) After paragraph (3) insert—
- “(3A) An energy performance certificate must not contain any information relating to a green deal plan for which the payment period has finished.”.

Amendments to regulation 27

- 10.**—(1) Regulation 27 (registration of certificates etc) is amended as follows.
- (2) After paragraph (2) insert—
- “(2A) Where an energy assessor issues an energy performance certificate relating to a green deal property, the data which the assessor must ensure is entered onto the relevant register in accordance with paragraph (2) includes the green deal information relating to that property.”.
- (3) In paragraph (4)(b), before “shall” insert “subject to paragraph (4A)”.
- (4) After paragraph (4) insert—
- “(4A) The green deal information entered onto the relevant register in respect of a green deal property may be altered in accordance with provision made under section 11(6) of the Energy Act 2011.”.

Amendments to regulation 30

- 11.**—(1) Regulation 30 (disclosure of general access data) is amended as follows.
- (2) In paragraph (1), after “data” insert “which does not relate to a building or a building unit that is a green deal property”.
- (3) After paragraph (2) insert—
- “(2A) The keeper of the register may disclose general access data which relates to a building or a building unit which is a green deal property to—
- (a) any person if the conditions in paragraph (2)(a), (b)(iii), (c) and (d) are met;
- (b) a person who is acting on behalf of another person—

- (i) who is or may be required to comply with the green deal disclosure obligations; or
 - (ii) to whom an energy performance certificate is required to be provided pursuant to the green deal disclosure obligations,
- if the conditions in paragraph (2)(a), (b)(i) or (ii), (c) and (d) are met.”.

Amendments to regulation 31

- 12.**—(1) In regulation 31 (disclosure of bulk access data), paragraph (2) is amended as follows.
- (2) In sub-paragraph (e) omit “and”.
 - (3) After “Schedule” in paragraph (f), insert—
“; and
 - (g) the data does not include any—
 - (i) green deal information; or
 - (ii) information revealing the report reference number for an energy performance certificate relating to a green deal property.”.

Amendment to regulation 32

- 13.** In regulation 32 (disclosure by keeper of register), after paragraph (2) insert—
- “(3) The keeper of the register may disclose general access data or bulk access data to—
 - (a) the Secretary of State;
 - (b) a person acting on behalf of the Secretary of State; or
 - (c) the Green Deal Ombudsman,
- for the purpose of enabling that person to carry out any function under or in connection with Part 8 of the Green Deal Framework Regulations.
- (4) In this regulation, “Green Deal Ombudsman” has the meaning given in regulation 2(1) of the Green Deal Framework Regulations.”.

Green deal information – 2012 Regulations

- 14.** Before Schedule 1, insert Schedule A1 as set out in Schedule 2 to these Regulations.