STATUTORY INSTRUMENTS

2015 No. 609

BUILDING AND BUILDINGS, ENGLAND AND WALES

The Energy Performance of Buildings (England and Wales) (Amendment) Regulations 2015

Made - - - -	*9th March 2015*
Laid before Parliament	*11th March 2015*
Coming into force - -	*6th April 2015*

The Secretary of State is a Minister designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to measures relating to the environment.

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and by section 74 of the Energy Act 2011(**3**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Energy Performance of Buildings (England and Wales) (Amendment) Regulations 2015 and come into force on 6th April 2015.

(2) These Regulations extend to England and Wales only.

Amendment of the Energy Performance of Buildings (England and Wales) Regulations 2012

2.—(1) The Energy Performance of Buildings (England and Wales) Regulations 2012(**4**) are amended as follows.

(2) In regulation 11 (2) (statement of energy performance indicator)—

(a) after "9th January 2013, the" insert "relevant person, or, where applicable, a person acting on behalf of the relevant person, must ensure that the"; and

(b) for "must be" substitute "is".

(**1**) S.I. 2008/301. That instrument, which came into force on 15th March 2008, revoked the previous designation of the Secretary of State in relation to the energy performance of buildings in S.I. 2004/3328.

(**2**) 1972 c.68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51), and section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c.7).

(**3**) 2011 c.16.

(**4**) S.I. 2012/3118. Relevant amendments have been made by S.I. 2013/10 and S.I. 2014/880. There are other amendments to the 2012 Regulations which are not relevant to this instrument.

(3) In regulation 18 (inspections of air-conditioning systems)—

(a) in paragraph (1) for "the system is" substitute "accessible parts of the system are"; and

(b) in paragraph (2) after "The first inspection of the" insert "accessible parts of the".

(4) In regulation 19 (reports)—

(a) in paragraph (1) after "system" insert "under regulation 18"; and

(b) in paragraph (2) for "possible improvements to" substitute "cost-effective improvement to the energy performance of".

(5) In regulation 28 (fees for entering data onto register)—

(a) in paragraph (a) for "£1.30", substitute "£1.27"; and

(b) in paragraph (b) for "£9.73", substitute "£11.66".

(6) In regulation 33 (fee for disclosure of bulk access data)—

(a) in paragraph (1)(a)—

(i) for "small" substitute "regular"; and

(ii) for "one penny (1p)" substitute "two pence (2p)".

(b) omit paragraph (1)(b);

(c) in paragraph (1)(c) for "ten pence (10p)" substitute "four pence (4p)"; and

(d) in paragraph (2)—

(i) for "small" substitute "regular"; and

(ii) omit ", "medium data pack"".

(7) In Schedule 2 (meanings of small, medium and large data packs)—

(a) in the title for "small, medium" substitute "regular";

(b) in Part 1 (energy performance certificates)—

(i) for sub-paragraphs (a), (b) and (c) of paragraph 2 substitute—

"(a) a regular data pack means a set of data containing the following information concerning the property in question—

(i) the address (including the postcode),

(ii) the energy rating,

(iii) the potential energy rating,

(iv) the energy efficiency,

(v) the potential energy efficiency,

(vi) the property type,

(vii) the inspection date,

(viii) the local authority area,

(ix) the constituency and county where it is located,

(x) the date the data were entered onto the register,

(xi) the transaction type,

(xii) the current environment impact,

(xiii) the potential environment impact,

(xiv) the current energy consumption,

(xv) the potential energy consumption,

(xvi) the current CO2 emissions,

(xvii) the current CO2 emissions per floor area,

(xviii) the potential CO2 emissions,

(xix) the current lighting cost,

(xx) the potential lighting cost,

(xxi) the current heating cost,

(xxii) the potential heating cost,

(xxiii) the current hot water cost,

(xxiv) the potential hot water cost,

(xxv) the total floor area,

(xxvi) the energy tariff,

(xxvii) whether the property is connected to the gas network,

(xxviii) the floor level,

(xxix) whether the property is on the top floor (for flats),

(xxx) if the property is a flat not on the top floor the storey count for the property,

(xxxi) the overall dimensions and size of the building,

(xxxii) the type of heating controls,

(xxiii) the proportion of windows which are multi-glazed,

(xxiv) the types of glazing and the area glazed,

(xxxv) the number of extensions to the property,

(xxxvi) the number of habitable rooms,

(xxxvii) the number of heated rooms,

(xxxviii) the proportion of low energy light, and

(xxxix) the number of open fireplaces; and

(b) a large data pack means a set of data containing the data described in paragraph 2(a), together with any additional data entered onto the register pursuant to regulation 27 from which an energy performance certificate (or any information contained within such a certificate) may be produced in relation to the property.”; and

(ii) for sub-paragraphs (a), (b) and (c) of paragraph 3 substitute—

“(a) a regular data pack means a set of data containing the following information concerning the property in question—

(i) the address (including the postcode),

(ii) the energy rating,

(iii) the property type,

(iv) the inspection date,

(v) the local authority area,

(vi) the constituency and county where it is located,

(vii) the date the data were entered onto the register,

(viii) the transaction type,