



Energy Act 2023

2023 CHAPTER 52

PART 4

NEW TECHNOLOGY

CHAPTER 1

LOW-CARBON HEAT SCHEMES

146 Further provision about scheme regulations

- (1) Scheme regulations must provide for the making of determinations as to whether a scheme participant has met a low-carbon heat target imposed on the scheme participant.
- (2) Scheme regulations may make provision for monitoring the operation of a low-carbon heat scheme, and may in particular make provision about—
 - (a) the keeping of records by scheme participants and others;
 - (b) the provision of information by scheme participants and others;
 - (c) the audit and verification of information provided by scheme participants and others.
- (3) Scheme regulations may make provision—
 - (a) enabling scheme participants to pool or transfer low-carbon heat targets imposed on them;
 - (b) for the issuing of certificates representing activities or appliances to which a low-carbon heat target relates;
 - (c) enabling scheme participants to acquire certificates mentioned in [paragraph \(b\)](#) for the purpose of meeting a low-carbon heat target;
 - (d) about the keeping of records in relation to—
 - (i) the pooling or transfer of low-carbon heat targets;
 - (ii) the acquisition of certificates.

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 146. (See end of Document for details)

- (4) Scheme regulations may make provision—
- (a) requiring a scheme participant who fails to meet a low-carbon heat target to make a payment, before a specified deadline, of an amount specified by or determined in accordance with the regulations;
 - (b) for a payment mentioned in [paragraph \(a\)](#) to be made to the administrator (see [section 147](#)) or to such other person as the regulations may specify;
 - (c) for a person who fails to meet a low-carbon heat target to be subject to such consequences (instead of or in addition to a requirement mentioned in [paragraph \(a\)](#)) as may be specified;
 - (d) about how liability to make a payment, or to other consequences, is to be determined where low-carbon heat targets have been pooled or transferred by virtue of provision made under [subsection \(3\)\(a\)](#).
- (5) In subsection (4), “specified” means specified in scheme regulations.

Commencement Information

II S. 146 in force at Royal Assent, see [s. 334\(2\)\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 146.