

Draft Regulations laid before Parliament under paragraph 12(1) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2022 No.

**BUILDING AND BUILDINGS,
ENGLAND AND WALES**

**The Energy Performance of Buildings (England
and Wales) (Amendment) Regulations 2022**

Made - - - - *****
Coming into force - - *1st April 2022*

The Secretary of State, in exercise of the powers conferred by paragraph 7(2) of Schedule 4 and paragraph 21(a)(ii) of Schedule 7 to the European Union (Withdrawal) Act 2018⁽¹⁾, makes the following Regulations.

In accordance with paragraph 12(1) of Schedule 7 to that Act a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Energy Performance of Buildings (England and Wales) (Amendment) Regulations 2022.

(2) These Regulations come into force on 1st April 2022.

(3) These Regulations extend to England and Wales.

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

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

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

(a) in paragraph (a), for “£1.64” substitute “£1.50”; and

(b) in paragraph (b), for “£1.89” substitute “£1.70”.

⁽¹⁾ 2018 c. 16. See paragraph 8 of Schedule 4 for the definition of “appropriate authority”.

⁽²⁾ S.I. 2012/3118, to which relevant amendments were made by S.I. 2013/603, S.I. 2014/880, S.I. 2015/609, S.I. 2016/284, S.I. 2017/368, S.I. 2018/362 and S.I. 2021/439.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Date

Name
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and
Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Energy Performance of Buildings (England and Wales) Regulations 2012 (S.I. 2012/3118) (“the principal regulations”), which implemented Directive 2010/31/EU of the European Parliament and of the Council on the energy performance of buildings (recast) (OJ No L 153, 18 18.6.2010, p. 13). The principal regulations were made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. That Act was repealed by section 1 of the European Union (Withdrawal) Act 2018 but the principal regulations continue to have effect as retained EU law by virtue of section 2 of the European Union (Withdrawal) Act 2018.

Regulation 2 amends the fees for entering data onto the register of energy performance certificates, display energy certificates and air conditioning inspection reports kept under regulation 27 (registration of certificates etc) of the principal regulations.

A full impact assessment has not been produced for this instrument, as no significant impact on the private, voluntary or public sector is foreseen.