



Energy Act 2023

2023 CHAPTER 52

PART 10

ENERGY PERFORMANCE OF PREMISES

250 Power to make energy performance regulations

- (1) The appropriate authority may make regulations for any of these purposes—
 - (a) enabling or requiring the energy usage or energy efficiency of premises to be assessed, certified and publicised;
 - (b) enabling or requiring possible improvements in the energy usage or energy efficiency of premises to be identified and recommended;
 - (c) restricting or prohibiting the marketing and disposal of premises on the basis of whether their energy usage or energy efficiency has been assessed, certified or publicised.
- (2) In this Part regulations under [this section](#) are referred to as “energy performance regulations”.
- (3) Energy performance regulations may—
 - (a) provide for—
 - (i) the regulations to apply to specified descriptions of premises, or
 - (ii) specified descriptions of premises to be excluded from the application of the regulations;
 - (b) confer functions on any person;
 - (c) provide for functions to be exercisable only if specified conditions are met (including conditions as to the eligibility of persons to exercise the functions);
 - (d) provide for the energy usage or energy efficiency of premises to be assessed or certified by reference to information that is obtained, produced or kept otherwise than under energy performance regulations;
 - (e) impose requirements on any person;
 - (f) make provision for the purpose of securing compliance with requirements imposed by or under energy performance regulations (see [section 252](#));

Status: This is the original version (as it was originally enacted).

- (g) authorise or require, or restrict or prohibit, the supply or keeping of information (including authorising or requiring supply or keeping of information that would otherwise be prohibited);
 - (h) provide for the charging of fees.
- (4) A reference in this Part to publicising the energy usage and energy efficiency of premises includes—
- (a) displaying energy performance information in the premises to which it relates;
 - (b) arranging for energy performance information to be entered into a record of such information (including a record that is publicly accessible);
 - (c) reporting energy performance information;
 - (d) supplying energy performance information.
- (5) In this Part—
- “the appropriate authority” means—
 - (a) in relation to England and Wales, the Secretary of State;
 - (b) in relation to Scotland, the Scottish Ministers;
 - (c) in relation to Northern Ireland, the Department;
 - “certified” means certified in accordance with energy performance regulations;
 - “the Department” means the Department of Finance in Northern Ireland;
 - “disposal of premises” includes leasing or letting of premises;
 - “energy performance information” means information about the energy usage or energy efficiency of premises;
 - “premises” means—
 - (a) a building or a part of a building (including any equipment, systems or facilities used by the building or the part), or
 - (b) any equipment, systems or facilities used by a building or a part of a building;
 - “specified” means specified in energy performance regulations.