

2009 No. 369

EUROPEAN COMMUNITIES

The Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2009

Made - - - - - *12th November 2009*

Coming into operation - - - - - *3rd December 2009*

The Department of Finance and Personnel, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to measures relating to the energy performance of buildings and in exercise of the powers conferred by section 2(2) of the said Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 3rd December 2009.

Interpretation

2. In these Regulations “the principal Regulations” means the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008(c).

Amendment of the principal Regulations

3. The principal Regulations are amended as follows—

(a) in regulation 2(1) (Interpretation), after the definition “asset rating” there shall be inserted—

““authorised officer” means any person who is authorised by an enforcement authority in writing, either generally or specifically, to act in matters arising out of these Regulations;”.

(b) for regulation 31(1) (Enforcement authorities) there shall be substituted—

“31. —(1) The enforcement authority for the purposes of these Regulations shall be—

- (a) except in relation to duties under these Regulations enforceable against a district council, a district council within its district;
- (b) in relation to duties under these Regulations enforceable against a district council, the Department.”.

(a) S.I. 2004 No. 3328

(b) 1972 c. 68

(c) S.R. 2008 No. 170 as amended by S.R. 2008 No. 241

(c) Regulation 31(3) shall be deleted.

Sealed with the Official Seal of the Department of Finance and Personnel on 12th November 2009



Philip Irwin
A senior officer of the
Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (“the principal Regulations”).

Regulation 3 assigns district councils as the enforcement authority for the purposes of the principal Regulations, except in relation to their own buildings where the Department will remain the enforcement authority.

The principal Regulations were previously amended by the Energy Performance of Buildings (Certificates and Inspections) (Amendment) Regulations (Northern Ireland) 2008(a).

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(a) SR 2008 No.241

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