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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2016 No.**

The Assessment of Energy Performance of Non-domestic Buildings (Scotland) Regulations 2016

PART 5

Register of energy improvement data

**Disclosure of data relating to a particular building or building unit**

17.—(1) The keeper of a register may disclose energy improvement data relating to a particular building or building unit to an authorised recipient or an approved organisation if all of the conditions in paragraph (2) are met.

(2) The conditions are that—

(a) a request for disclosure of the data is made—

(i) by means of a website operated by the keeper; or

(ii) by electronic communication sent to an address or location specified by the keeper for the purpose of the receipt of such requests;

(b) the request includes—

(i) the full address (excluding the postcode) of the particular building or building unit to which the data relates;

(ii) the full postcode of that building or building unit; or

(iii) the report reference number for energy improvement data relating to the building or building unit;

(c) the disclosure is made subject to the condition that the data is to be used by the recipient solely for one or more of the purposes described in Part 2 of Schedule 1 to the 2008 Regulations; and

(d) the particular building or building unit to which the data relates is not an excluded building.

(3) The keeper may refuse to disclose information under paragraph (1) where the person who requests the disclosure has previously failed to comply with a condition of the kind referred to in paragraph (2)(c).