

SCOTTISH STATUTORY INSTRUMENTS

2008 No. 309

**The Energy Performance of Buildings
(Scotland) Regulations 2008**

[^{F1}Disclosure of data relating to a particular building or building unit

12A.—(1) The keeper of a register may disclose energy performance data relating to a particular building or building unit to an authorised recipient if all of the conditions in paragraph (2) are met.

(2) The conditions are that—

(a) a request for disclosure of the data to the authorised recipient 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 the energy performance data relating to the building or building unit;

[the data does not include any—

- ^{F2}(ba) (i) green deal information; or
- (ii) information revealing the report reference number relating to an energy performance certificate for a green deal property;]

(c) the disclosure is made subject to—

- (i) 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; ^{F3}...

^{F3}(ii)

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

^{F4}(3)

(4) 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).]

^{F5}(5)

Textual Amendments

F1 Regs. 12, 12A substituted for reg. 12 (21.12.2012) by [The Energy Performance of Buildings \(Scotland\) Amendment \(No. 3\) Regulations 2012 \(S.S.I. 2012/315\)](#), regs. 1, 5

Changes to legislation: There are currently no known outstanding effects for the The Energy Performance of Buildings (Scotland) Regulations 2008, Section 12A. (See end of Document for details)

- F2** Reg. 12A(2)(ba) inserted (27.1.2013) by The Energy Performance of Buildings (Scotland) Amendment Regulations 2013 (S.S.I. 2013/12), regs. 1, **8**
- F3** Reg. 12A(2)(c)(ii) and word omitted (19.12.2015) by virtue of The Energy Performance of Buildings (Scotland) Amendment Regulations 2015 (S.S.I. 2015/386), regs. 1, **2(3)**
- F4** Reg. 12A(3) omitted (19.12.2015) by virtue of The Energy Performance of Buildings (Scotland) Amendment Regulations 2015 (S.S.I. 2015/386), regs. 1, **2(3)**
- F5** Reg. 12A(5) omitted (19.12.2015) by virtue of The Energy Performance of Buildings (Scotland) Amendment Regulations 2015 (S.S.I. 2015/386), regs. 1, **2(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Energy Performance of Buildings (Scotland) Regulations 2008, Section 12A.