
DRAFT STATUTORY INSTRUMENTS

2005 No.

The Local Authorities' Plans and Strategies
(Disapplication) (England) Order 2005

Disapplication of duty to submit home energy conservation reports

4.—(1) Section 2 of the Home Energy Conservation Act 1995⁽¹⁾ (in this article, “the Act”), and the power of the Secretary of State to give directions under section 5 of the Act, shall not apply to energy conservation authorities⁽²⁾ which are excellent authorities.

(2) Where, at the date on which this Order comes into force, an excellent authority have prepared a report and published and sent it to the Secretary of State in accordance with section 2(6) of the Act, section 3(2) of the Act shall not apply in relation to that authority.

(3) Paragraph (4) applies where an energy conservation authority cease, by reason of an order made by the Secretary of State under section 99(4) of the Local Government Act 2003, to be categorised as excellent.

(4) Where this paragraph applies the authority shall be treated as an excellent authority for the purposes of paragraph (1), for a period of one year beginning with the date on which the order mentioned in paragraph (3) comes into force.

(1) 1995 c.10.

(2) For the definition of “energy conservation authority”, *see* section 1(1) of the Home Energy Conservation Act 1995.