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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**The CRC Energy Efficiency Scheme Order 2010**

**PART 7**

**Records**

**General**

**57.**—(1) Subject to article 37, a participant must maintain the records provided by this Part.

(2) Except where paragraph (3) applies, those records must be kept for at least seven years after the end of the phase to which they relate.

(3) The records in relation to the following must be kept for so long as the participant is part of the scheme—

- (a) the participant's position in the performance table drawn up for the first year of the scheme in which the participant takes part;
- (b) the participant's first footprint report and first annual report.

(4) Records must be—

- (a) adequate to show to the satisfaction of the administrator that the participant has complied with its obligations under this Order;
- (b) up to date and, so far as possible, kept together; and
- (c) available for inspection by the administrator at any time.

**Records: general**

**58.** A participant must maintain records in respect of the information—

- (a) in paragraph 7 and section 2 of Schedule 5, as applicable to the participant;
- (b) used to compile its footprint report and annual report;
- (c) relevant to any of the changes described in Schedule 6.

**Records: residual measurements lists and public disclosure**

**59.**—(1) Where a participant is required to compile a residual measurement list under article 42, that list must be kept with the records described in article 58.

(2) Where a participant has informed the administrator that—

- (a) it discloses publicly each year—
  - (i) its emissions reduction targets; and
  - (ii) its performance against them;
- (b) a person with management control has responsibility in respect of those matters; or
- (c) it operates an employee engagement programme to reduce its emissions,

the participant must maintain records of the disclosure, the person or the programme, as applicable.

(3) In paragraph (2)(c), “employee engagement programme” means a programme organised or supported by the participant which enables employees of that participant to make regular contributions to the ways in which the participant may reduce the emissions made or caused by the participant.

#### **Audit of records**

**60.**—(1) A participant must carry out regular audits of the records required to be maintained under this Part and do so to ensure its compliance with those requirements.

(2) The satisfactory completion of such an audit must be evidenced in writing (“an audit certificate”).

(3) The audit certificate may be in such form as the participant sees fit but must be—

- (a) signed by a person who exercises management control in respect of the activities of the participant; and
- (b) kept with its records.