DRAFT STATUTORY INSTRUMENTS

2012 No. 0000

ENERGY CONSERVATION

The Green Deal Framework (Disclosure, Acknowledgment, Redress etc.) Regulations 2012

Made - - - - 2012

Coming into force in accordance with regulation 1

THE GREEN DEAL FRAMEWORK (DISCLOSURE, ACKNOWLEDGMENT, REDRESS ETC.) REGULATIONS 2012

PART 1

CHAPTER 1

- 1. Citation and commencement
- 2. Interpretation general
- 3. Notices

CHAPTER 2

- 4. Definitions under section 2(9)
- 5. Definition of "energy bill" for the purpose of section 4(4) and Part 5
- 6. The bill payer where there is no supply of electricity to a green deal property
- 7. Definitions of qualifying assessment under section 3(9)

PART 2

- 8. Authorisation of green deal certification bodies and green deal participants
- 9. Registers of green deal certification bodies and green deal participants
- 10. Code of practice

PART 3

11. Green deal assessor certification bodies

- 12. Determination of applications and entry on the register
- 13. Green deal installer certification bodies
- 14. Determination of applications and entry on the register
- 15. Green deal providers
- 16. Determination of applications and entry on the register
- 17. Voluntary withdrawal of authorisation of green deal provider
- 18. Refusal of an application

PART 4

CHAPTER 1

- 19. Requirements which apply to green deal certification bodies
- 20. Changes to a membership list update to registers
- 21. Cessation of accreditation update to registers

CHAPTER 2

- 22. Requirements which apply to green deal assessors
- 23. Requirements which apply to green deal installers

CHAPTER 3

- 24. Requirements which apply to green deal providers
- 25. Notifications concerning consumer credit
- 26. Ensuring energy plans are green deal plans and that instalments can be collected on energy bills

PART 5

CHAPTER 1

- 27. Estimates of likely energy bill savings
- 28. Estimating the period over which savings are likely to be made

CHAPTER 2

- 29. Conditions to be met for energy plans to be green deal plans
- 30. Instalments not to exceed savings
- 31. Payment period not to exceed savings period
- 32. Domestic properties fixed interest rate
- 33. Improvement-specific instalments exceptions to fixed amount
- 34. No restriction on change of gas or electricity supplier
- 35. Guarantees to be given by green deal providers
- 36. Condition as to other matters confirmation from bill payer and owners
- 37. Owner under regulation 36

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Green Deal Framework (Disclosure, Acknowledgment, Redress etc.) Regulations 2012 No. 2079

PART 6

- 38. Permitted early repayment of credit
- 39. Permitted cash advances
- 40. Terms of the plan which are to bind or benefit the bill payer or a subsequent bill payer

PART 7

CHAPTER 1

- 41. Specified period under section 8(3)
- 42. Action to be taken under section 8(4)

CHAPTER 2

- 43. Intended occupation under transactions or arrangements to be entered into
- 44. Disclosure and acknowledgment in circumstances described in regulation 43
- 45. Intended transfers of ownership
- 46. Disclosure and acknowledgment in circumstances described in regulation 45
- 47. Oral tenancies and unwritten licence agreements
- 48. Acknowledgment in circumstances described in regulation 47
- 49. Transactions or arrangements to change bill payers
- 50. Disclosure and acknowledgment in circumstances described in regulation 49

PART 8

CHAPTER 1

- 51. Interpretation Part 8
- 52. No sanctions without receipt of complaints or information
- 53. Sanctions
- 54. Enforcement undertakings
- 55. Eligible complaints breach of the consent provision
- 56. Eligible complaints breach of the disclosure and acknowledgment provisions
- 57. Eligible complaints breach of the relevant requirements
- 58. Eligible complaints failure to take consumer credit modifying step
- 59. Referral of eligible complaints to the Secretary of State
- 60. Complaints where there is no green deal provider

CHAPTER 2

- 61. Breach of the consent provision
- 62. Breach of the disclosure and acknowledgment provisions

- 63. Breach of the relevant requirements
- 64. Special circumstances failure to take a consumer credit modifying step

CHAPTER 3

- 65. Sanctions for breaches of the consent provision
- 66. Sanctions for breaches of the disclosure and acknowledgment provisions
- 67. Sanctions for breaches of the relevant requirements by green deal providers
- 68. Sanctions for breaches of the relevant requirements by green deal installers
- 69. Sanctions for breaches of the relevant requirements by green deal assessors and green deal certification bodies
- 70. Cancellation in special circumstances failure by relevant person to take a consumer credit modifying step
- 71. Withdrawal of authorisation from a green deal provider who is no longer a fit person to be authorised

CHAPTER 4

- 72. Requirement to give an intention notice before imposing a sanction
- 73. Additional requirements in relation to compensation
- 74. Compliance notices
- 75. Financial penalties
- 76. Recovery of compensation and financial penalties
- 77. Notice of decision not to impose a sanction
- 78. Sanctions notices
- 79. Proportionality requirement
- 80. Updating the register
- 81. Deferring updating the register

CHAPTER 5

- 82. Contents of an enforcement undertaking
- 83. Failure to comply with an enforcement undertaking
- 84. Discharge of a compliance notice or enforcement undertaking
- 85. Inaccurate, misleading or incomplete information

PART 9

86. Power to obtain information87. Appeal to First Tier Tribunal Signature

SCHEDULE 1 — Registers

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Green Deal Framework (Disclosure, Acknowledgment, Redress etc.) Regulations 2012 No. 2079

SECTION 1

All green deal certification bodies and green deal participants

- 1. Name, address and contact details.
- 2. Any trading name.
- 3. For a company, the company registration number and names of...
- 4. Green deal registration number.
- 5. Date of entry on the register.
- 6. Whether the person's authorisation is suspended or withdrawn and—
- 7. Any periods when the person's authorisation has been suspended or...
- 8. The reasons for any suspension or withdrawal of authorisation.

SECTION 2

Green deal assessor certification bodies

- 9. Date of accreditation to certify persons as able to act...
- 10. Certificate of accreditation number.
- 11. Name of accrediting body.

SECTION 3

Green deal assessors

- 12. Date of certification to act as a green deal assessor....
- 13. Certificate number.
- 14. Name of certifying body.

SECTION 4

Green deal installer certification bodies

- 15. Date of accreditation to certify persons as able to act...
- 16. Scope of accreditation.
- 17. Certificate of accreditation number.
- 18. Name of accrediting body.

SECTION 5

Green deal installers

- 19. Date of certification to act as a green deal installer....
- 20. Scope of certification and energy efficiency improvements certified to install....
- 21. Certificate number.
- 22. Name of certifying body.

SECTION 6

Green deal providers

- 23. Whether authorisation is granted in relation to—
- 24. For authorisation in relation to domestic properties—

SCHEDULE 2 — Annual reports by green deal providers

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Green Deal Framework (Disclosure, Acknowledgment, Redress etc.) Regulations 2012 No. 2079

- 1. The information to be included in a report provided under...
- 2. In this Schedule—(a) "customer complaint" is a complaint made...

SCHEDULE 3 — Guarantees

- 1. The requirements for a guarantee referred to in regulation 35(2)...
- 2. All problems which affect the functioning of an improvement and...
- 3. The green deal provider must repair damage to the property...
- 4. The descriptions of damage referred to in paragraph 3 are—...
- 5. The green deal provider's total liability to repair damage to...
- 6. The requirements in paragraphs 2 to 4 do not require...
- 7. The following persons are referred to in paragraph 6—

Explanatory Note