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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**The Electricity and Gas (Energy Companies Obligation) (Amendment) (No. 2) Order 2014**

**Amendments to article 12**

6. In article 12 (achievement of carbon emissions reduction obligation)—
- (a) for paragraph (3) substitute—
- “(3) A carbon qualifying action is the installation, at domestic premises, of a measure in—
- (a) paragraph (4) where the conditions in paragraph (7) are satisfied; or
- (b) paragraph (5A) where—
- (i) the conditions in paragraph (8) are satisfied; and
- (ii) in the case of a secondary measure, the conditions in one of paragraphs (9) to (11) are satisfied.”;
- (b) in paragraph (4)—
- (i) for “paragraph (3)” substitute “paragraph (3)(a)”;
- (ii) for sub-paragraph (a) substitute—
- “(a) insulation of a hard to treat cavity where—
- (i) that is a recommended measure; and
- (ii) the installation is carried out before 1st April 2014;”;
- (iii) for sub-paragraph (c)(iv) substitute—
- “(iv) on the same date as, or no more than six months before, or no more than six months after, the date on which the measure in sub-paragraph (a) or (b) is installed;”;
- (c) after paragraph (5) insert—
- “(5A) The measures referred to in paragraph (3)(b) are—
- (a) insulation of a cavity wall where that is a recommended measure;
- (b) flat roof insulation where that is a recommended measure;
- (c) loft insulation where that is a recommended measure;
- (d) rafter insulation where that is a recommended measure;
- (e) room-in-roof insulation where that is a recommended measure;
- (f) a connection to a district heating system where that connection is made to premises which—
- (i) do not include the top floor of the building in which those premises are located, and where the walls of those premises cannot be insulated; or
- (ii) have flat roof, loft, rafter, room-in-roof or wall insulation;
- (g) subject to paragraph (6A), a secondary measure.”;

- (d) after paragraph (6) insert—
- “(6A) Where a secondary measure is installed before a measure described in paragraph (5A)(a) to (f) (“M3”), the secondary measure is not a qualifying action until the installation of M3 is complete.”;
- (e) in paragraph (7), for “paragraph (3)” substitute “paragraph (3)(a)”;
- (f) after paragraph (7) insert—
- “(8) The conditions referred to in paragraph (3)(b) are that the installation must be carried out—
- (a) on or after 1st April 2014; and
  - (b) in accordance with the Publicly Available Specification where the installation is referred to in the Specification.
- (9) The conditions in this paragraph are that the secondary measure is installed at the same premises where a measure in paragraph (5A)(a), (b), (d) or (e) has been or will be installed and the measure in paragraph (5A)(a), (b), (d) or (e)—
- (a) meets the conditions in paragraph (8); and
  - (b) is installed—
    - (i) by the same supplier which installs the secondary measure; and
    - (ii) on the same date as, or no more than six months before, or no more than six months after, the date on which the secondary measure is installed.
- (10) The conditions in this paragraph are that the secondary measure is installed at the same premises where a measure in paragraph (5A)(c) has been or will be installed and the measure in paragraph (5A)(c)—
- (a) meets the conditions in paragraph (8);
  - (b) is installed in lofts which have no more than 150mm of insulation before the installation takes place and results in the lofts being insulated to a depth of no less than 250mm; and
  - (c) is installed—
    - (i) by the same supplier which installs the secondary measure; and
    - (ii) on the same date as, or no more than six months before, or no more than six months after, the date on which the secondary measure is installed.
- (11) The conditions in this paragraph are that the secondary measure is installed at the same premises where a measure in paragraph (5A)(f) has been or will be installed and the measure in paragraph (5A)(f)—
- (a) meets the conditions in paragraph (8); and
  - (b) is installed by the same supplier which installs the secondary measure.
- (12) In this article, “secondary measure” means a measure other than a measure in paragraph (5A)(a) to (f), where that secondary measure is—
- (a) installed to improve the insulating properties of the premises; and
  - (b) a recommended measure.”.