
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Electricity and Gas (Energy
Company Obligation) Order 2022

PART 5

Qualifying actions

CHAPTER 3

In-fill measures

In-fill measures in flats

- 22.**—(1) A measure is a “flat in-fill measure” and meets the condition in this article if—
- (a) it is installed at a domestic premises which is a flat;
 - (b) it is one of the following measures—
 - (i) solid wall insulation;
 - (ii) insulation of a cavity wall;
 - (iii) a district heating connection;
 - (c) it is linked with one other measure (“the primary measure”) which is—
 - (i) the same kind of measure as the flat in-fill measure;
 - (ii) promoted by the same participant that promoted the flat in-fill measure; and
 - (iii) installed at separate domestic premises in the same block of flats (that is, a building which contains two or more flats) as the flat in-fill measure; and
 - (d) the primary measure with which the flat in-fill measure is linked is a qualifying action by virtue of any of articles 13 to 21.
- (2) For the purposes of paragraph (1)(c)—
- (a) a flat in-fill measure is linked with a primary measure if—
 - (i) the flat in-fill measure is completed during the three month period beginning with the day on which the primary measure is completed;
 - (ii) the flat in-fill measure is notified under article 43 on the same day as, or after, the notification of the primary measure under that article;
 - (iii) when notifying the flat in-fill measure under article 43, the participant includes information sufficient to enable the Administrator to identify the primary measure with which it is to be linked; and
 - (iv) the ECO4 project containing the primary measure does not include any primary measure that is already linked with another in-fill measure;
 - (b) a primary measure is the same kind of measure as a flat in-fill measure if—
 - (i) both are solid wall insulation;

- (ii) both are insulation of a cavity wall; or
 - (iii) both are district heating connections.
- (3) In this article, “flat”—
- (a) in respect of domestic premises in England and Wales, has the same meaning as in the Building Regulations 2010⁽¹⁾;
 - (b) in respect of domestic premises in Scotland, has the same meaning as in the Building (Scotland) Regulations 2004⁽²⁾ and also includes a maisonette, as defined in those Regulations.

⁽¹⁾ [S.I. 2010/2214](#). See regulation 2. There are amending instruments but none are relevant.

⁽²⁾ [S.S.I. 2004/406](#). See regulation 2. There are amending instruments but none are relevant.