
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Electricity and Gas (Energy
Company Obligation) Order 2022

PART 5

Qualifying actions

CHAPTER 1

General criteria for qualifying actions

Qualifying actions: overview

- 11.**—(1) A qualifying action is a measure which satisfies Condition A, B or C in this article.
- (2) Condition A is that the Administrator is satisfied that the measure—
- (a) meets the requirements of article 12 (general requirements);
 - (b) meets the condition—
 - (i) in any one of articles 13 to 21 (ECO4 project measures); or
 - (ii) in article 22 or 23 (in-fill measures);
 - (c) where it is a heating measure—
 - (i) other than where it is a measure falling within sub-paragraph (b)(ii), meets the minimum insulation requirement in article 24 or 25; and
 - (ii) meets the requirements of article 26 (additional requirements to be met by heating measures);
 - (d) meets the requirements of article 31 (installation standards, consumer protection and smart meter advice); and
 - (e) is notified to the Administrator in accordance with article 43.
- (3) Condition B (which relates to ECO3 interim delivery actions) is that the Administrator is satisfied that the measure—
- (a) is completed on or after 1st April 2022 and before 1st July 2022;
 - (b) meets the requirements set out in article 13(1)(a), (b), (d), (e) and (g) of the 2018 Order;
 - (c) meets the requirements of article 31(1)(b) or (c);
 - (d) is not—
 - (i) a demonstration action;
 - (ii) the installation of equipment for the generation of heat wholly or partly from biofuel, oil or liquefied petroleum gas, unless the measure is a repair;
 - (iii) the installation of a connection to a district heating system that delivers heat generated wholly or partly from biofuel, oil or liquefied petroleum gas; or

- (iv) a repair other than—
 - (aa) a repair of a renewable heating system;
 - (bb) a repair of an efficient boiler or an efficient electric storage heater; or
 - (cc) a repair of equipment for the generation of heat wholly or partly from biofuel, oil or liquefied petroleum gas; and
- (e) is notified to the Administrator in accordance with article 43.
- (4) Condition C is that the measure is a surplus action.

Qualifying actions: general requirements relating to Condition A

12.—(1) The requirements referred to in article 11(2)(a) in relation to Condition A are that the measure—

- (a) is installed at domestic premises;
- (b) results in the reduction in the cost of heating those premises to 21 degrees Celsius in the main living areas and 18 degrees Celsius in all other areas, or in the case of a data light measure, is reasonably expected to result in such a reduction;
- (c) is completed on or after 1st April 2022 and before 1st April 2026;
- (d) except in the case of a repair, is installed at—
 - (i) premises erected before 1st April 2022; or
 - (ii) premises which were first occupied as domestic premises before the day on which the installation is completed;
- (e) is not funded by any grant from public funds; and
- (f) either—
 - (i) forms part of an ECO4 project which—
 - (aa) meets the requirement concerning the assessment of energy efficiency in paragraph (2); and
 - (bb) does not include an in-fill measure, ECO3 interim delivery action or surplus action; or
 - (ii) is an in-fill measure which meets the requirement concerning the assessment of energy efficiency in paragraph (3).
- (2) An ECO4 project meets the requirement concerning the assessment of energy efficiency if—
 - (a) where the project is an ECO4 project which consists of a district heating connection only or a district heating connection and one or more novel data light measures only—
 - (i) a SAP assessment is performed before the day on which the first measure in the project is completed for the purpose of calculating the SAP rating of the premises; and
 - (ii) a pre-installation EPC is issued for the premises;
 - (b) where the project is an ECO4 project which consists of one or more novel data light measures only—
 - (i) an RdSAP assessment is performed before the day on which the first measure in the project is completed for the purpose of calculating the SAP rating of the premises; and
 - (ii) a pre-installation EPC is issued for the premises;

- (c) where the project is an ECO4 project which does not fall within sub-paragraph (a) or (b), an RdSAP assessment is performed before the day on which the first measure in the project is completed for the purpose of calculating the SAP rating of the premises.
- (3) An in-fill measure meets the requirement concerning the assessment of energy efficiency if—
 - (a) where the in-fill measure is a district heating connection—
 - (i) a SAP assessment is performed before the day on which the in-fill measure is completed for the purpose of calculating the SAP rating of the premises; and
 - (ii) a pre-installation EPC is issued for the premises;
 - (b) where the in-fill measure does not fall within sub-paragraph (a), an RdSAP assessment is performed before the day on which the in-fill measure is completed for the purpose of calculating the SAP rating of the premises.
- (4) In paragraphs (2) and (3), references to a “district heating connection” do not include a connection to a district heating system that uses a shared ground loop.
- (5) In this article, “grant from public funds” means a grant made by a public authority or by any person distributing funds on behalf of a public authority.