



Energy Act 2023

2023 CHAPTER 52

PART 11

ENERGY SAVINGS OPPORTUNITY SCHEMES

Assessments, energy savings and emissions reductions

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- (1) ESOS regulations may confer functions on an assessor in relation to assessing, monitoring and reporting on compliance with requirements imposed by the regulations.
- (2) ESOS regulations may provide that a participant may only appoint as an assessor a person of a specified description.
- (3) A description may be specified for the purposes of [subsection \(2\)](#) by reference to any criteria, including by reference to—
 - (a) a person's competence, qualifications or experience;
 - (b) a person's inclusion in a designated list or register;
 - (c) a person's membership of a designated body;
 - (d) a person's participation in a designated accreditation scheme;
 - (e) a person's relationship to a participant.
- (4) For the purposes of this section, "designated" means designated by the Secretary of State or a scheme administrator in accordance with ESOS regulations.
- (5) A body may only be designated for the purposes of this section if the body is willing to be so designated.
- (6) ESOS regulations may make provision about—
 - (a) the giving of designations for the purposes of [subsection \(4\)](#);
 - (b) reviewing such designations;
 - (c) circumstances in which such a designation may be removed;

Status: This is the original version (as it was originally enacted).

- (d) maintaining and publishing a list of such designations.
- (7) ESOS regulations may make provision enabling a list or register of persons who may, or who may not, be appointed as an assessor for the purposes of [subsection \(2\)](#) to be maintained by—
- (a) a designated body;
 - (b) a scheme administrator;
 - (c) the Secretary of State.
- (8) ESOS regulations may confer functions or impose requirements on a person responsible for maintaining a designated list or register and may in particular include provision—
- (a) about the process for including a person in a list or register;
 - (b) about the details to be included in a list or register;
 - (c) for ensuring those details remain up to date;
 - (d) about the publication of a list or register;
 - (e) for the purpose of ensuring that a person included in a list or register continues to meet the criteria for appointment as an assessor;
 - (f) for the purpose of ensuring the quality of ESOS assessments;
 - (g) about the temporary or permanent removal of a person from a list or register in specified circumstances.
- (9) The regulations may make provision authorising a scheme administrator to share reports, notices or other information relating to an energy savings opportunity scheme with a designated body for the purposes referred to in [subsection \(8\)\(e\)](#) or [\(f\)](#).
- (10) ESOS regulations may make provision—
- (a) enabling the Secretary of State or a scheme administrator to give a direction relating to the maintenance of a list or register;
 - (b) requiring a person responsible for maintaining a list or register to comply with such a direction.