



Energy Act 2023

2023 CHAPTER 52

PART 11

ENERGY SAVINGS OPPORTUNITY SCHEMES

Administration, enforcement and appeals

260 Scheme administration

- (1) ESOS regulations may appoint one or more public authorities to carry out functions with respect to—
 - (a) administering an energy savings opportunity scheme;
 - (b) monitoring compliance with, and enforcing requirements imposed by, the regulations.
- (2) A person appointed by virtue of subsection (1) is referred to as a “scheme administrator”.
- (3) The regulations may make provision for a scheme administrator to authorise another person to exercise specified functions of the scheme administrator.
- (4) Regulations made by virtue of subsection (1) may in particular include provision about—
 - (a) the obtaining of information by, and the provision of information to, a scheme administrator;
 - (b) the determination by a scheme administrator of information in default of its being provided;
 - (c) the auditing and verification of information;
 - (d) the keeping, production and inspection of records;
 - (e) the determination by a scheme administrator of whether an undertaking is a participant in an energy savings opportunity scheme;
 - (f) cooperation and information sharing between scheme administrators.

Status: Point in time view as at 31/01/2024.

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 260. (See end of Document for details)

- (5) ESOS regulations may make provision imposing requirements on a participant relating to the provision of such facilities and services, including transport and accommodation, as may be necessary to facilitate the carrying out of any of the scheme administrator’s functions.
- (6) ESOS regulations may confer functions on a scheme administrator in relation to the publication of information relating to an energy savings opportunity scheme or its participants.
- (7) ESOS regulations may make provision—
- (a) about the giving of guidance by a scheme administrator or the Secretary of State in connection with the operation of an energy savings opportunity scheme;
 - (b) requiring specified persons to have regard to such guidance.
- (8) ESOS regulations may make provision requiring the payment by participants to the scheme administrator of fees for or in connection with the carrying out by the scheme administrator of the scheme administrator’s functions.
- (9) ESOS regulations may confer a power on a national authority to require a scheme administrator to provide the authority with such information—
- (a) relating to an energy savings opportunity scheme, and
 - (b) relevant to the exercise of the authority’s functions,
- as the authority requests.
- (10) In this section—
- “national authority” means—
 - (a) the Secretary of State;
 - (b) the Welsh Ministers;
 - (c) the Scottish Ministers;
 - (d) the Department for the Economy in Northern Ireland;
 - “public authority” means a person with functions of a public nature.

Commencement Information

II S. 260 in force at Royal Assent, see [s. 334\(2\)\(m\)](#)

Status:

Point in time view as at 31/01/2024.

Changes to legislation:

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