
STATUTORY INSTRUMENTS

2008 No. 188

The Electricity and Gas (Carbon Emissions Reduction) Order 2008

PART 1

Introduction

Citation and commencement

1. This Order may be cited as the Electricity and Gas (Carbon Emissions Reduction) Order 2008 and comes into force on the day after the day on which this Order is made.

Commencement Information

II Art. 1 in force at 31.1.2008, see [art. 1](#)

Interpretation

2.—(1) In this Order—

“the 2001 Order” means the Electricity and Gas (Energy Efficiency Obligations) Order 2001(1);

“the 2004 Order” means the Electricity and Gas (Energy Efficiency Obligations) Order 2004(2);

“carbon emissions reduction obligation” means the reduction in carbon emissions a supplier must achieve in the obligation period;

“cogeneration” means the simultaneous generation in one process of thermal energy and—

- (a) electrical energy;
- (b) mechanical energy; or
- (c) both electrical and mechanical energy(3);

“cogeneration unit” means a unit that can operate in cogeneration mode;

“domestic customer” means an owner or occupier of domestic premises in Great Britain who is supplied with electricity or gas at those premises wholly or mainly for domestic purposes;

“domestic energy user” means a person who uses energy in domestic premises in Great Britain wholly or mainly for domestic purposes;

“energy” means energy from coal, electricity, gas, geothermal sources, liquid petroleum gas, oil, solar power, water, wind or wood;

(1) [S.I. 2001/4011](#), as amended by [S.I. 2003/1180](#).

(2) [S.I. 2004/3392](#).

(3) Cogeneration is also commonly referred to as combined heat and power in the United Kingdom.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Electricity and Gas (Carbon Emissions Reduction) Order 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“group of companies” means—

- (a) a holding company; and
- (b) the wholly-owned subsidiaries of that holding company;

“holding company” has the same meaning as in section 736 of the Companies Act 1985⁽⁴⁾;

“householder” has the meaning given by Schedule 1;

“lifetime tonnes of carbon dioxide” means the amount of carbon dioxide that is expected to be saved over the lifetime of the measures to be promoted under this Order;

“microgeneration” has the same meaning as in section 26 of the Climate Change and Sustainable Energy Act 2006⁽⁵⁾;

“micro-cogeneration unit” means a cogeneration unit with a maximum capacity below 50 kW_e;

“new supplier” has the meaning given by article 4(5);

“notification” means notification in writing and includes notification by electronic mail or facsimile;

“obligation period” has the meaning given by article 6(3) or 6(4);

“overall carbon emissions reduction target” means the target for the promotion of a reduction in carbon emissions stated in article 3(1) and referred to in section 103 of the Utilities Act 2000;

“priority group” means the group of domestic energy users where each member—

- (a) is in receipt of at least one of the benefits described in paragraph 2 of Schedule 2;
- (b) is in receipt of at least one of the credits described in paragraph 3 of Schedule 2 and has a relevant income of £15,592 or less (where “relevant income” has the same meaning as in Part 1 of the Tax Credits Act 2002⁽⁶⁾); or
- (c) is at least 70 years old;

“subsidiary” has the meaning given by section 736 of the Companies Act 1985;

“supplier” has the meaning given by article 4;

“U value” means the measure in W/m²K of heat transmission through a wall.

(2) In this Order, subject to article 10, a qualifying action means—

- (a) a demonstration action;
- (b) a market transformation action;
- (c) subject to article 14, a priority group flexibility action; or
- (d) a standard action.

(3) In this Order—

- (a) a demonstration action is an action which is reasonably expected to achieve a reduction in carbon emissions;
- (b) a market transformation action means an action which is—
 - (i) the promotion of solid wall insulation or micro-cogeneration units where such action will achieve a reduction in carbon emissions; or
 - (ii) any other action which will achieve a reduction in carbon emissions but which the Authority did not determine to be a qualifying action under the 2001 Order;

⁽⁴⁾ 1985 c.6. Sections 736 and 736A were substituted for the original section by section 144(1) of the Companies Act 1989 (c.40).

⁽⁵⁾ 2006 c.19.

⁽⁶⁾ 2002 c.21.

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- (c) a priority group flexibility action means the promotion to a householder within paragraph (a) or (b) of the priority group—
 - (i) of ground source heat pumps in respect of a property which does not have a mains gas supply; or
 - (ii) of solid wall insulation which lowers the U-value of the walls to 0.5W/m²K or less;
 - (d) a standard action means an action which will achieve a reduction in carbon emissions.
- (4) Paragraph 1 of Schedule 2 has effect.

Commencement Information

I2 Art. 2 in force at 31.1.2008, see [art. 1](#)

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. A1 inserted by [S.I. 2009/1904 art. 9](#)
- Sch. 1 para. 1(bb) inserted by [S.I. 2022/907 Sch. 1 para. 25\(b\)](#)
- Sch. 2 para. 2(j) inserted by [S.I. 2009/1904 art. 10\(c\)](#)
- art. 9(6) inserted by [S.I. 2009/1905 art. 28](#)
- art. 12(7A)-(7C) inserted by [S.I. 2009/1904 art. 6\(3\)](#)
- art 13A added by [S.I. 2010/1958 arts 213](#)
- art. 15(2A) inserted by [S.I. 2009/1904 art. 7\(3\)](#)
- art. 15(3A) inserted by [S.I. 2009/1904 art. 7\(5\)](#)
- art. 19(3A) inserted by [S.I. 2009/1904 art. 8\(3\)](#)
- art. 19(4A) inserted by [S.I. 2009/1904 art. 8\(5\)](#)