
STATUTORY INSTRUMENTS

2014 No. 1643

The Energy Savings Opportunity Scheme Regulations 2014

PART 4

ESOS Assessments

CHAPTER 3

Energy savings opportunities

Duty to carry out an energy audit

26.—(1) Subject to Part 6, a responsible undertaking must carry out an energy audit in accordance with this Chapter—

- (a) in any case where the responsible undertaking has identified the participant's areas of significant energy consumption, in relation to those areas of significant energy consumption, or
- (b) in any other case, in relation to the participant's total energy consumption.

(2) A responsible undertaking may elect to comply with the requirements of paragraph (1) by carrying out two or more energy audits, each relating to a different area of the participant's energy consumption.

(3) So far as reasonably practicable, an energy audit must be based on verifiable data evidencing the participant's energy consumption in relation to its areas of significant energy consumption (or, where paragraph (1)(b) applies, its total energy consumption), measured in energy measurement units, over a 12 month period.

(4) Subject to paragraph (5), the 12 month period referred to in paragraph (3) must be a period of 12 consecutive months which—

- (a) in relation to the initial compliance period, begins—
 - (i) no earlier than 6th December 2010, and
 - (ii) no more than 24 months before the commencement of the energy audit,
- (b) in relation to a subsequent compliance period, begins—
 - (i) no more than 12 months before the start of the compliance period, and
 - (ii) no more than 24 months before the commencement of the energy audit, and

ends on or before the compliance date for that compliance period.

(5) The 12 month period must be such that no data is used as the basis for energy audits carried out in more than one compliance period.

(6) Where a responsible undertaking elects, in accordance with paragraph (2), to carry out two or more energy audits in relation to different areas of its energy consumption, the participant may use different 12 month periods for each of those audits.

- (7) In any case where verifiable data evidencing the participant's energy consumption is not available for a 12 month period in accordance with paragraph (3), the energy audit may be based on—
- (a) verifiable data evidencing the participant's energy consumption over a shorter period, provided that the requirements of paragraph (4) are complied with, or
 - (b) a reasonable estimate of the participant's energy consumption over the 12 month period referred to in paragraph (3).
- (8) Where paragraph (7) applies the responsible undertaking must—
- (a) notify the scheme administrator accordingly, and
 - (b) record details of the extent to which, and the reasons why, 12 months' verifiable data was not used.