

2015 No. 799

ENERGY CONSERVATION, ENGLAND AND WALES

**The Energy Efficiency (Domestic Private Rented Property)
Order 2015**

Made - - - - *26th March 2015*

Coming into force - - *1st April 2016*

The Secretary of State for Energy and Climate Change makes the following Order in exercise of the powers conferred by section 42(1)(a)(iii) of the Energy Act 2011(a).

In accordance with section 52(4)(a) of that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the Energy Efficiency (Domestic Private Rented Property) Order 2015 and comes into force on 1st April 2016.

Domestic Private Rented Property

2. The following are specified tenancies for the purposes of section 42(1)(a) of the Energy Act 2011—

- (a) a tenancy which is an assured agricultural occupancy for the purposes of section 24 of the Housing Act 1988(b);
- (b) a tenancy which is a protected occupancy for the purposes of section 3(6) of the Rent (Agriculture) Act 1976(c);
- (c) a statutory tenancy for the purposes of section 4(6) of the Rent (Agriculture) Act 1976(d).

26th March 2015

Edward Davey
Secretary of State
Department of Energy and Climate Change

(a) 2011 c.16.
(b) 1988 c.50. Section 24 was amended by S.I. 1990/434, and by section 103(2) and (3) of the Housing Act 1996 (c.52).
(c) 1976 c.80. Section 3 was amended by section 76(3) and (4) of the Housing Act 1980 (c.51), and by paragraph 9(2) to (4) of Schedule 8 to the Civil Partnership Act 2004 (c.33).
(d) Section 4 was amended by paragraph 72 of Schedule 23 to the Rent Act 1977 (c.42), section 76(3) and (4) of the Housing Act 1980, section 39(4) of, paragraphs 10 to 12 of Schedule 4 to, and Schedule 18 to, the Housing Act 1988 (c.50), and by paragraph 10(2) to (4) of Schedule 8 to the Civil Partnership Act 2004.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 42(1)(a)(iii) of the Energy Act 2011 and comes into force on 1st April 2016.

Chapter 2 of Part 1 of that Act relates to properties in the private rented sector. Section 42(1)(a) defines what is meant by “domestic private rented property”, and this Order specifies certain tenancies of agricultural dwellings as additional categories of tenancy for the purposes of section 42(1)(a).

A property which is let on one of those tenancies is a domestic private rented property for the purposes of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 which come into force on the same date.

A full regulatory impact assessment of the effect that those Regulations will have on the costs of business and the voluntary sector is annexed to the Explanatory Memorandum which is available alongside those Regulations and this Order on www.legislation.gov.uk.

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