

ENERGY ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Miscellaneous and General

Section 120: Extent

348. This section sets out the territorial extent of the provisions in the Act. Almost all provisions in the Act extend to England, Wales and Scotland. The main exceptions are:
- sections 42 to 53, which extend to England and Wales only, and sections 54 to 65, which extend to Scotland only. These sections deal with energy efficiency in the private rented sector;
 - section 9, which extends to England and Wales only, and section 10, which extends to Scotland only. These sections provide powers for the Secretary of State and Scottish Ministers respectively to amend their own sets of regulations relating to the energy performance certificate;
 - sections 14(3) to (5) and 15(3), which extend to England and Wales only, and sections 14(6) to (8) and 15(4), which extend to Scotland only. These sections deal with acknowledgment of the green deal plan;
 - section 35(6) which extends to Scotland only. This section deals with green deal appeals, and the revocation or amendment of delegated legislation;
 - section 74, which extends to England and Wales only, and section 75, which extends to Scotland only. These sections deal with access to the register of energy performance certificates;
 - section 110, which extends to England and Wales only and relates to the energy efficiency aim; and
 - section 115, which extends to England and Wales only, and section 116, which extends to Scotland only. Both sections relate to additional powers of the Coal Authority;
 - section 113, which relates to the introduction of a renewable heat incentive for Northern Ireland; and
 - section 114, which relates to the ability of GEMA to act on behalf of the Northern Ireland authority in connection with a scheme made under section 113, extends to England and Wales, Scotland and Northern Ireland.
349. *Subsection (6)* of this section sets out the other exception. It provides that an amendment or repeal of an enactment extends as far as the enactment amended or repealed, with the exception of sections 25 to 29 and section 118(1). Sections 25 to 29 relate to modifying consumer credit legislation in relation to the green deal, amendments made under these sections extend to England and Wales and Scotland only. Section 118(1)

*These notes refer to the Energy Act 2011 (c.16)
which received Royal Assent on 18 October 2011*

repeals measures relating to home energy efficiency in relation to Scotland, and in relation to energy conservation authorities in Wales only.