



# Energy Act 2011

## 2011 CHAPTER 16

### PART 5

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous*

#### **117 Amendment of section 137 of the Energy Act 2004**

In section 137(3) of the Energy Act 2004 (standard conditions of transmission licences under Part 1 of the Electricity Act 1989)—

- (a) in paragraph (a) omit “or”, and
- (b) after paragraph (b) insert—
  - “(c) under the Energy Act 2008,
  - (d) under the Energy Act 2010, or
  - (e) under the Energy Act 2011,”.

#### **118 Amendment and repeal of measures relating to home energy efficiency**

- (1) The Home Energy Conservation Act 1995—
  - (a) ceases to have effect in Scotland;
  - (b) ceases to apply in relation to energy conservation authorities in Wales.
- (2) In section 1 of that Act (interpretation) in the definition of “energy conservation measures” after “promotion,” insert “any available financial assistance,”.
- (3) In section 1 of the Sustainable Energy Act 2003 (annual report on progress towards sustainable energy aims)—
  - (a) subsection (1)(e) and the “and” immediately preceding it cease to have effect, and
  - (b) subsection (1AA) ceases to have effect.

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- (4) In section 4 of that Act (energy efficiency of residential accommodation: energy conservation authorities) subsection (13)(b) ceases to have effect.
- (5) Section 217 of the Housing Act 2004 (energy efficiency of residential accommodation in England) ceases to have effect.

### *General*

#### **119 Consultation**

A requirement for the Secretary of State to consult which arises under or by virtue of this Act may be satisfied by consultation before, as well as consultation after, the passing of this Act.

#### **120 Extent**

- (1) Subject to subsections (2) to (6), this Act extends to England and Wales and Scotland only.
- (2) The following provisions extend to England and Wales only—
  - (a) section 9 (documents containing information about green deal plans: England and Wales),
  - (b) section 14(3) to (5) (acknowledgment of green deal plan in respect of property in England or Wales),
  - (c) section 15(3) (further provision made in regulations for acknowledgment of such a plan),
  - (d) sections 42 to 53 (private rented sector: England and Wales),
  - (e) section 74 (access to register of energy performance certificates etc: England and Wales),
  - (f) section 110 (energy efficiency aim), and
  - (g) section 115 (additional powers of the Coal Authority: England and Wales).
- (3) The following provisions extend to Scotland only—
  - (a) section 10 (documents containing information about green deal plans: Scotland),
  - (b) section 14(6) to (8) (acknowledgment of green deal plan in respect of property in Scotland),
  - (c) section 15(4) (further provision made in regulations for acknowledgment of such a plan),
  - (d) section 35(6) (green deal appeals: revocation or amendment of delegated legislation by Scottish Ministers),
  - (e) sections 54 to 65 (private rented sector: Scotland),
  - (f) section 75 (access to register of energy performance certificates etc: Scotland), and
  - (g) section 116 (additional powers of the Coal Authority: Scotland).
- (4) Section 113 (renewable heat incentives in Northern Ireland) extends to Northern Ireland only.

- (5) Section 114 (power for Gas and Electricity Markets Authority to act on behalf of Northern Ireland authority in connection with scheme under section 113) extends to England and Wales, Scotland and Northern Ireland.
- (6) Subject to section 118(1) and subsection (7) below, an amendment or repeal of an enactment has the same extent as the enactment amended or repealed.
- (7) The amendments made by sections 25 to 29 (green deal: modifying consumer credit legislation) extend to England and Wales and Scotland only.

## **121 Commencement**

- (1) The provisions of this Act come into force on such day as the Secretary of State may by order made by statutory instrument appoint, subject to subsections (2) to (5).
- (2) The following provisions come into force on such day as the Scottish Ministers may by order appoint—
  - (a) section 10 (documents containing information about green deal plans: Scotland);
  - (b) section 14(6) to (8) (acknowledgment of green deal plan in respect of property in Scotland);
  - (c) section 15(4) (further provision made in regulations for acknowledgment of such a plan);
  - (d) section 35(6) (green deal appeals: revocation or amendment of delegated legislation by Scottish Ministers);
  - (e) sections 54 to 65 (private rented sector: Scotland);
  - (f) section 75 (access to register of energy performance certificates etc: Scotland).
- (3) The following provisions come into force at the end of the period of two months beginning with the day on which this Act is passed—
  - (a) sections 66 to 72 (reducing carbon emissions and home-heating costs);
  - (b) section 73 (smart meters);
  - (c) section 74 (access to register of energy performance certificates etc: England and Wales);
  - (d) sections 76 to 78 (information about tariffs);
  - (e) sections 79 and 80 (security of electricity supply);
  - (f) sections 93 to 102 (special administration);
  - (g) section 103 (designations under Continental Shelf Act 1964);
  - (h) subsection (3) of section 104 (offshore transmission and distribution of electricity);
  - (i) section 105 (regulation of security of nuclear construction sites);
  - (j) section 106 (agreement about modifying decommissioning programme);
  - (k) section 107 (abandonment: infrastructure converted for CCS demonstration projects);
  - (l) section 111 (adjustment of electricity transmission charges);
  - (m) section 112 (electricity from renewable sources: National Park authorities and Broads Authority);
  - (n) sections 113 and 114 (renewable heat incentives in Northern Ireland).
- (4) The following provisions come into force on the day on which this Act is passed—

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- (a) section 37 (preparatory expenditure: framework regulations);
  - (b) section 81 (modification of the Uniform Network Code);
  - (c) subsections (1) and (2) of section 104 (offshore transmission and distribution of electricity);
  - (d) sections 119 and 120, this section and section 122 (general provisions).
- (5) Schedule 1 (reducing carbon emissions and home-heating costs: minor and consequential amendments) comes into force as follows—
- (a) paragraphs 1, 2, 7, 8(1), (2)(a), (3)(a) and (4) and 9 come into force at the end of the period of two months beginning with the day on which this Act is passed;
  - (b) paragraphs 4 and 8(2)(b), (3)(b) and (5) come into force on 1 January 2013;
  - (c) paragraphs 3, 5 and 6 come into force on 6 April 2014.
- (6) An order made by the Secretary of State or the Scottish Ministers under this section may—
- (a) appoint different days for different purposes;
  - (b) make transitional provision and savings.

## **122 Short title**

This Act may be cited as the Energy Act 2011.