



Energy Act 2011

2011 CHAPTER 16

PART 1

ENERGY EFFICIENCY

CHAPTER 2

PRIVATE RENTED SECTOR: ENGLAND AND WALES

Non-domestic energy efficiency regulations

51 Sanctions for the purposes of non-domestic energy efficiency regulations

- (1) Non-domestic energy efficiency regulations may include provision for the purpose of securing compliance with requirements imposed on landlords by or under the regulations.
- (2) Provision falling within subsection (1) includes, in particular, provision—
 - (a) for a local weights and measures authority to enforce any requirement imposed by or under the regulations;
 - (b) about the sanctions for non-compliance with a requirement imposed by or under the regulations;
 - (c) about the sanctions for the provision of false information in connection with such a requirement;including, in cases falling within paragraph (b) or (c), the imposition of a civil penalty by a local weights and measures authority.
- (3) Where non-domestic energy efficiency regulations make provision for a civil penalty, the regulations must also include provision for a right of appeal to a court or tribunal against the imposition of the penalty.
- (4) Provision falling within subsection (3) includes, in particular, provision—
 - (a) as to the jurisdiction of the court or tribunal to which an appeal may be made;

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2011, Section 51. (See end of Document for details)

- (b) as to the grounds on which an appeal may be made;
 - (c) as to the procedure for making an appeal (including any fee which may be payable);
 - (d) suspending the imposition of the penalty, pending determination of the appeal;
 - (e) as to the powers of the court or tribunal to which an appeal is made;
 - (f) as to how any sum payable in pursuance of a decision of the court or tribunal is to be recoverable.
- (5) The provision referred to in subsection (4)(e) includes provision conferring on the court or tribunal to which an appeal is made power—
- (a) to confirm the penalty;
 - (b) to withdraw the penalty;
 - (c) to vary the amount of the penalty;
 - (d) to award costs.
- (6) If the Secretary of State considers it appropriate for the purpose of, or in consequence of, any provision falling within subsection (4)(a), (c), (e) or (f), non-domestic energy efficiency regulations may revoke or amend any subordinate legislation in so far as the subordinate legislation extends to England and Wales.
- (7) In this section “subordinate legislation” has the meaning given in section 21(1) of the Interpretation Act 1978 and includes an instrument made under a Measure or Act of the National Assembly for Wales.

Commencement Information

- I1** S. 51(1)-(3)(4)(a)(b)(d)-(f)(5)(a)-(c)(7) in force at 26.3.2015 by S.I. 2015/880, art. 2, Sch.
- I2** S. 51(6) in force at 26.3.2015 for specified purposes by S.I. 2015/880, art. 2, Sch.

Changes to legislation:

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