



Energy Act 2011

2011 CHAPTER 16

PART 1

ENERGY EFFICIENCY

CHAPTER 4

REDUCING CARBON EMISSIONS AND HOME-HEATING COSTS

71 Power of Secretary of State to require information: carbon emissions reduction targets and home-heating cost reduction targets

After section 103A of the Utilities Act 2000 insert—

“103B Power of Secretary of State to require information: carbon emissions reduction targets and home-heating cost reduction targets

- (1) The Secretary of State may by notice require a person within subsection (3) to provide the Secretary of State with specified information, or information of a specified kind, for the purpose of enabling the Secretary of State—
 - (a) to decide whether to make a carbon emissions reduction order or a home-heating cost reduction order and, if so, what provision to include in the order;
 - (b) to review the operation and effect of a carbon emissions reduction order or a home-heating cost reduction order;
 - (c) to establish and maintain a record (“a measures record”) of properties in respect of which carbon emissions reduction measures or home-heating cost reduction measures have been taken and of the type of measure taken in respect of each such property.
- (2) For the purpose of enabling a person (“A”) to establish and maintain a measures record on behalf of the Secretary of State, the Secretary of State may by

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notice require any person within subsection (3) to provide A with specified information or information of a specified kind.

- (3) Those persons are—
- (a) gas transporters and gas suppliers;
 - (b) electricity distributors and electricity suppliers;
 - (c) the Authority; and
 - (d) any body other than the Authority that is for the time being the Administrator in relation to a carbon emissions reduction order or a home-heating cost reduction order.
- (4) Information required to be provided by a notice under this section must be provided—
- (a) in such form as may be specified;
 - (b) within such period as may be specified or at such intervals as may be specified.
- (5) No person shall be required by a notice under this section to provide any information which the person could not be compelled to give in evidence in civil proceedings in the High Court or, in Scotland, the Court of Session.
- (6) Information obtained by virtue of this section may be disclosed by the Secretary of State—
- (a) to the Welsh Ministers for the purpose of enabling them to review the operation and effect in Wales of a carbon emissions reduction order or a home-heating cost reduction order;
 - (b) to the Scottish Ministers for the purpose of enabling them to review the operation and effect in Scotland of a carbon emissions reduction order or a home-heating cost reduction order.
- (7) In sections 28 to 30F and section 38 of the 1986 Act (enforcement of relevant requirements etc) a reference to a “relevant requirement” is to be treated as including a reference to a requirement imposed on a gas transporter or gas supplier under this section.
- (8) In sections 25 to 28 of the 1989 Act (enforcement of relevant requirements etc) a reference to a “relevant requirement” is to be treated as including a reference to a requirement imposed on an electricity distributor or electricity supplier under this section.
- (9) In this section—
- “a carbon emissions reduction order” means an order under—
- (a) section 33BC of the 1986 Act;
 - (b) section 41A of the 1989 Act; or
 - (c) section 103 of this Act;
- “a home-heating cost reduction order” means an order under—
- (a) section 33BD of the 1986 Act;
 - (b) section 41B of the 1989 Act; or
 - (c) section 103A of this Act;
- “a carbon emissions reduction measure” is a measure of a kind mentioned in subsection (2) of each of section 33BC of the 1986 Act and section 41A of the 1989 Act;

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“a home-heating cost reduction measure” is a measure of a kind mentioned in subsection (2)(b) of each of section 33BD of the 1986 Act and section 41B of the 1989 Act;

“specified” means specified in a notice under this section.”

Changes to legislation:

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