
STATUTORY INSTRUMENTS

2009 No. 1905

**The Electricity and Gas (Community
Energy Saving Programme) Order 2009**

PART 5

Transfers, trading, determination and reporting

Transfers

20.—(1) The carbon emissions reduction obligation of one generator or supplier (“person A”) may be treated as achieved in whole or part by qualifying action completed by a generator or a supplier (“person B”) (“a transfer”).

(2) A transfer only has effect if approved by the Authority.

(3) To obtain approval, persons A and B must—

(a) apply for approval in writing to the Authority by 31st December 2012; and

(b) provide to the Authority such information, including the number and type of qualifying actions in question, as the Authority may reasonably require.

(4) The Authority must not approve a transfer where it has reasonable grounds to believe that, if the transfer were approved, the carbon emissions reduction obligation placed on person B will not be achieved.

(5) If the Authority decides not to approve a transfer under paragraph (4) it must notify persons A and B of the reasons for that decision.

(6) The completed qualifying action under a transfer does not count towards the carbon emissions reduction obligation of person B.

Changes to legislation:

There are currently no known outstanding effects for the The Electricity and Gas (Community Energy Saving Programme) Order 2009, Section 20.