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STATUTORY INSTRUMENTS

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**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.