

# FOR CONSULTATION PURPOSES ONLY

## November working draft - text for The Green Deal (Form of Acknowledgment) Regulations

The Secretary of State, in exercise of the powers conferred by sections 14(3) and (4) and 15(3) of the Energy Act 2011<sup>(a)</sup> and after consultation with the Welsh Ministers in accordance with section 40(12) of that Act, makes the following Regulations:

### Citation and commencement

1. These Regulations may be cited as The Green Deal (Form of Acknowledgment) Regulations [•] and shall come into force on [•].

### Interpretation

2. In these Regulations—

“the Act” means the Energy Act 2011;

“the framework regulations” means the Green Deal Framework (etc.) Regulations [•] (b);

“green deal plan” has the meaning given in section 1 of the Act; and

“green deal property” means a property in respect of which there is a green deal plan and payments are still to be made under that plan.

### Acknowledgment of green deal plan: sale or letting out

3.—(1) This regulation applies where—

(a) an acknowledgment is required by section 14(2) of the Act (acknowledgment of green deal plan on sale or letting out); and

(b) the green deal property being sold or let out is situated in England or Wales.

(2) An acknowledgment required by section 14(2) of the Act must be in the following form—

“The [buyer/tenant/licensee/other\*] acknowledges that, as a person who is, or may become, the person who is liable to pay the electricity bill at the [property/premises/other\*], the electricity bill payer is:

(a) liable to make payments under a green deal plan; and

(b) bound by the terms of that plan that are stated to bind the electricity bill payer.”

\* The seller, prospective landlord or prospective licensor is to insert the appropriate term in the circumstances.

### Acknowledgment of green deal plan: oral tenancies and licence agreements

4.—(1) This regulation applies where—

(a) an acknowledgment is required by regulation 54 of the framework regulations (acknowledgment of green deal plan: oral tenancies and licence agreements); and

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(a) 2011 c.16. Sections 14(3) and (4) and 15(3) of the Act extend to England and Wales only. Separate provision is made for Scotland in the Green Deal (Form of Acknowledgment) (Scotland) Regulations [•] (S.S.I. [•]).

(b) S.I. [•].

- (b) the green deal property being let out is situated in England or Wales.
- (2) An acknowledgment required by regulation 54 of the framework regulations must be—
  - (a) in writing; and
  - (b) in the following form—

“[I/other\*] acknowledge that, as the person who will be liable to pay the electricity bill at the [property/premises/other\*], [I/other\*] will be:

- (a) liable to make payments under a green deal plan; and
- (b) bound by the terms of that plan that are stated to bind the electricity bill payer.”

\* The prospective landlord or prospective licensor is to insert the appropriate term in the circumstances.

#### **Acknowledgment of green deal plan: occupation under a trust**

- 5.—(1) This regulation applies where—
  - (a) an acknowledgment is required by regulation 55 of the framework regulations (acknowledgment of green deal plan: occupation under a trust); and
  - (b) the green deal property being let out is situated in England or Wales.
- (2) An acknowledgment required by regulation 55 of the framework regulations must be—
  - (a) in writing; and
  - (b) in the following form—

“[I/The beneficiary/other\*] acknowledge[s] that, as the person who will be liable to pay the electricity bill at the [property/premises/other\*], [I/he/she/other\*] will be:

- (a) liable to make payments under a green deal plan; and
- (b) bound by the terms of that plan that are stated to bind the electricity bill payer.”

\* The trustee is to insert the appropriate term in the circumstances.

#### **Acknowledgment of green deal plan: transfer of a green deal property**

- 6.—(1) This regulation applies where—
  - (a) an acknowledgment is required by regulation 58 of the framework regulations (acknowledgment of green deal plan: transfer of a green deal property); and
  - (b) the green deal property being transferred is situated in England or Wales.
- (2) An acknowledgment required by regulation 58 of the framework regulations must be in the following form—

“The [transferee/other\*] acknowledges that as a person who is, or may become, the person who is liable to pay the electricity bill at the [property/premises/other\*], the electricity bill payer is:

- (a) liable to make payments under a green deal plan; and
- (b) bound by the terms of that plan that are stated to bind the electricity bill payer.”

\* The transferor is to insert the appropriate term in the circumstances.

Date

*Name*  
Parliamentary Under Secretary of State  
Department

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*