

# Energy Bill [HL]

---

---

## COMMONS AMENDMENTS

---

---

*[The page and line references are to Bill 167, the bill as first printed for the Commons.]*

---

---

### Clause 1

- 1 Page 2, line 22, leave out “and”
- 2 Page 2, line 24, at end insert “, and  
(c) recoverable as a debt by the relevant energy supplier from the person referred to in paragraph (a).”
- 3 Page 2, line 24, at end insert “, and  
( ) recovered and held by the relevant energy supplier as agent and trustee for the person who made the improvements (unless the relevant energy supplier is also that person).”

### Clause 3

- 4 Page 4, line 37, at end insert –  
“(ea) requiring green deal assessors to act with impartiality;”
- 5 Page 5, line 12, at end insert “;  
(f) withdraw authorisation from a body authorised for the purposes of subsection (1)(a) as a body whose members are authorised to act as green deal participants”

### Clause 8

- 6 Page 8, line 32, leave out from “takes” to “in” in line 33 and insert “one or more of the following actions as required by the framework regulations”

### Clause 12

- 7 Page 10, line 29, after “must” insert “, in relation to the document, or each document, required to be produced or updated as mentioned in section 8(4)”

- 8 Page 10, line 30, leave out from “document” to “has” and insert “or, if the requirement to produce or update the document”

### Clause 13

- 9 Page 11, line 19, leave out from “obtain” to “has” and insert “a document required to be produced or updated as mentioned in section 8(4) or, if the requirement to produce or update such a document”

### Clause 17

- 10 Page 14, line 3, at end insert –  
“(3A) Provision made by virtue of subsection (2)(b) which falls within subsection (3)(c) may include provision requiring the holder of the licence, where a bill payer has failed to pay a sum due under an energy bill, to remit a proportion of any payment received to a green deal provider.”
- 11 Page 14, line 21, at end insert “or nominated by a green deal provider”

### Clause 19

- 12 Page 15, line 15, leave out from “for” to end of line 17 and insert “one or both of the following two purposes only.
- (2A) The first purpose is the purpose of requiring, at specified times, the holder of the licence to provide bill payers with specified information in connection with their green deal plans.
- (2B) The second purpose is the purpose of requiring the holder of the licence to disclose on request specified information about the payment of energy bills by a person who is, or is to be, the bill payer for a property in respect of which there is, or is proposed to be, a green deal plan.
- (2C) The only persons to whom the licence holder may be required to disclose information by virtue of subsection (2B) are –
- (a) where there is a green deal plan, the green deal provider under the plan;
  - (b) where there is proposed to be a green deal plan, a person who is authorised under the framework regulations to act as a green deal provider.
- (2D) The licence holder may be required to disclose the information requested only where –
- (a) the green deal provider or authorised person states that the request is made for purposes connected with the green deal plan or proposed green deal plan;
  - (b) the green deal provider or authorised person provides evidence that the bill payer has consented to –
    - (i) disclosure of the information to that provider or person for those purposes, and
    - (ii) onward disclosure of the disclosed information to and by other other persons for those purposes;

- (c) the information relates to a time within the 5 years immediately preceding the request; and
- (d) the licence holder has the information.”

13 Page 15, line 18, after “power” insert “under subsection (1)”

14 Page 15, line 19, leave out “form” and insert “manner or form, or subject to specified requirements or restrictions”

15 Page 15, line 19, at end insert –

- “(4) Conditions included in a licence under section 7A(1) of the Gas Act 1986 by virtue of the power under subsection (1) and the purpose mentioned in subsection (2B) may do any of the things authorised by section 7B(5)(a)(i) or (iii) of that Act (which applies to the power of the Gas and Electricity Markets Authority with respect to licence conditions under section 7B(4)(a)).
- (5) Conditions included in a licence under section 6(1)(d) of the Electricity Act 1989 by virtue of the power under subsection (1) and the purpose mentioned in subsection (2B) may do any of the things authorised by section 7(3)(a) or (c) or (4) of that Act (which applies to the power of the Gas and Electricity Markets Authority with respect to licence conditions under section 7(1)(a)).”

#### Clause 21

16 Page 16, line 9, leave out subsection (2)

#### After Clause 28

17 Insert the following new Clause –

#### “Early repayment of green deal finance

- (1) The Consumer Credit Act 1974 is amended as follows.
- (2) After section 95A (compensatory amount to creditor in relation to early repayment) insert –

#### ““95B=95>BCompensatory amount: green deal finance

- (1) This section applies where –
  - (a) a regulated consumer credit agreement provides for the rate of interest on the credit to be fixed for a period of time (“the fixed rate period”),
  - (b) the agreement is a green deal plan (within the meaning of section 1 of the Energy Act 2011) which is of a duration specified for the purposes of this section in regulations, and
  - (c) under section 94 the debtor discharges all or part of his indebtedness during the fixed rate period.
- (2) The creditor may claim an amount equal to the cost which the creditor has incurred as a result only of the debtor’s indebtedness being discharged during the fixed rate period if –

- (a) the amount of the payment under section 94 is not paid from the proceeds of a contract of payment protection insurance, and
  - (b) such other conditions as may be specified for the purposes of this section in regulations are satisfied.
- (3) The amount in subsection (2) –
- (a) must be fair,
  - (b) must be objectively justified,
  - (c) must be calculated by the creditor in accordance with provision made for the purposes of this section in regulations, and
  - (d) must not exceed the total amount of interest that would have been paid by the debtor under the agreement in the period from the date on which the debtor makes the payment under section 94 to the date fixed by the agreement for the discharge of the indebtedness of the debtor.
- (4) If a creditor could claim under either section 95A or this section, the creditor may choose under which section to claim.”
- (3) In section 94 (right to complete payments ahead of time) –
- (a) in subsection (1) after “section 95A(2)” insert “or section 95B(2)”;
  - (b) in subsection (5) after “section 95A(2)” insert “or section 95B(2)”.
- (4) In subsection (2)(c) of section 97A (duty to give information on partial repayment) after “section 95A(2)” insert “or section 95B(2)”.

#### After Clause 30

18 Insert the following new Clause –

**“Exercise of scheme functions on behalf of the Secretary of State or a public body**

- (1) This section applies to any function exercisable in connection with the scheme established by the framework regulations.
- (2) The Secretary of State may arrange for such a function to be exercised by any body or person on behalf of the Secretary of State.
- (3) A public body specified in relation to such a function in an order made by virtue of section 30(1)(a) may arrange for the function to be exercised by any other body or person on its behalf.
- (4) Arrangements under this section –
  - (a) do not affect the responsibility for the exercise of the function;
  - (b) may include provision for payments to be made to the body or person exercising the function under the arrangements.”

#### Clause 33

19 Page 22, line 1, leave out “this section” and insert “subsection (2)”

20 Page 22, line 21, at end insert “or, in Scotland, expenses”

21 Page 22, line 24, leave out “this section” and insert “subsection (2)”

22 Page 22, line 25, at end insert—

“(5A) If the Scottish Ministers consider it appropriate for the purpose of, or in consequence of, any provision falling within subsection (3)(a), (d), (f) or (g), they may by regulations revoke or amend any subordinate legislation, or any provision included in an instrument made under an Act of the Scottish Parliament, if the provision making the revocation or amendment would be within the legislative competence of the Scottish Parliament if it were included in an Act of that Parliament.”

#### After Clause 34

23 Insert the following new Clause—

##### **“Preparatory expenditure: framework regulations**

The Secretary of State may, before the framework regulations are made, incur expenditure for the purpose of, or in connection with, preparing for a scheme of the kind provided for by section 3.”

24 Insert the following new Clause—

##### **“Green deal installation apprenticeships**

- (1) Before making the first framework regulations the Secretary of State must lay before Parliament a report on what, if any, steps the Secretary of State has taken to encourage green deal installation apprenticeships.
- (2) A “green deal installation apprenticeship” is an apprenticeship which provides training on how to install energy efficiency improvements at properties.”

#### Clause 36

25 Page 23, line 15, after “Chapter” insert “, other than those made by the Scottish Ministers,”

26 Page 23, line 22, leave out paragraph (b)

27 Page 23, line 23, after “33” insert “(2)”

28 Page 23, line 29, leave out subsection (6) and insert—

“(6) Regulations under section 10(2), 14(7) or (8) or 15(4) are subject to the negative procedure.”

29 Page 23, line 30, at end insert—

“(6A) Regulations under section 33(5A) are subject to the affirmative procedure.”

30 Page 23, line 44, at end insert—

“(8A) Before amending under section 9 a provision of the Building Regulations 2010 (S.I. 2010/2214), the Secretary of State must, if and so far as the function under which the provision was made is exercisable by the Welsh Ministers, obtain their consent.”

31 Page 24, line 1, leave out “Subsection (8) does” and insert “Subsections (8) and (8A) do”

32 Page 24, line 6, after “(8)” insert “or (8A)”

#### **Clause 38**

33 Page 24, line 30, after “housing,” insert –  
 “(aa) it is low cost home ownership accommodation within the meaning of section 70 of that Act,”

34 Page 24, line 35, leave out “or any regulations replacing those regulations”

#### **After Clause 38**

35 Insert the following new Clause –

#### **“Domestic energy efficiency regulations**

- (1) The Secretary of State must make regulations for the purpose of securing that a landlord of a domestic PR property –
  - (a) which is of such description of domestic PR property as is provided for by the regulations,
  - (b) in relation to which there is an energy performance certificate, and
  - (c) which falls below such level of energy efficiency (as demonstrated by the energy performance certificate) as is provided for by the regulations,
 may not let the property until the landlord has complied with the obligation mentioned in subsection (2).
- (2) The obligation is to make to the property such relevant energy efficiency improvements as are provided for by the regulations.
- (3) Regulations under this section are referred to in this Chapter as “domestic energy efficiency regulations”.
- (4) For the purposes of domestic energy efficiency regulations –
 

“energy performance certificate” has the meaning given by the Energy Performance Regulations;

“landlord” and “let the property” have the meaning given by the regulations (and “let the property” may be defined to include “continue to let the property”); and

“relevant energy efficiency improvements” means improvements which –

  - (a) are of such description as the regulations provide, and
  - (b) can be –
    - (i) wholly paid for pursuant to a green deal plan as provided for by Chapter 1 of this Part,
    - (ii) provided free of charge pursuant to an obligation imposed by an order made under section 33BC or 33BD of the Gas Act 1986 or section 41A or 41B of the Electricity Act 1989,

- (iii) wholly financed pursuant to a combination of such a plan and such an obligation, or
  - (iv) financed by such other description of financial arrangement as the regulations provide.
- (5) The Secretary of State may by order amend the definition of “energy performance certificate” in subsection (4).
- (6) The first domestic energy efficiency regulations must come into force no later than 1 April 2018.”

**36** Insert the following new Clause –

**“Further provision about domestic energy efficiency regulations**

- (1) Domestic energy efficiency regulations may, in particular, include provision about –
- (a) the period within which improvements required by the regulations must be started or completed;
  - (b) exemptions from any requirement imposed by or under the regulations;
  - (c) evidence relating to any requirement imposed by or under the regulations.
- (2) Provision falling within subsection (1)(b) includes, in particular, provision about exemptions –
- (a) relating to any necessary permissions or consents;
  - (b) relating to the likely negative impact on the value of a property of complying with a requirement imposed by or under the regulations.
- (3) Provision falling within subsection (1)(c) includes, in particular, provision about evidence for the purpose of demonstrating –
- (a) an exemption from a requirement imposed by or under the regulations;
  - (b) that a property is not one in relation to which the regulations have effect;
  - (c) that the improvements required by or under the regulations are not relevant energy efficiency improvements within the meaning given by the regulations.”

**Clause 39**

**37** Page 25, line 1, leave out Clause 39

**Clause 40**

**38** Page 25, line 31, leave out Clause 40

**Clause 41**

**39** Page 26, line 39, leave out Clause 41

**Clause 42**

- 40 Page 27, line 28, leave out “about –” and insert “ –  
 (za) for a local authority to enforce any requirement imposed by or  
 under the regulations;”
- 41 Page 27, line 29, at beginning insert “about”
- 42 Page 27, line 31, at beginning insert “about”
- 43 Page 27, line 33, leave out “both cases” and insert “cases falling within paragraph  
 (a) or (b)”

**Clause 43**

- 44 Page 28, line 21, leave out subsection (1)
- 45 Page 28, line 30, leave out ‘may’ and insert “must”
- 46 Page 29, line 11, leave out subsection (6) and insert –  
 “(6) The first tenants’ energy efficiency improvements regulations must come  
 into force no later than 1 April 2016.”

**Clause 46**

- 47 Page 31, line 4, leave out subsection (1)
- 48 Page 31, line 13, leave out “may” and insert “must”
- 49 Page 31, line 30, leave out “, “let the property” and “tenant”” and insert “and “let  
 the property””
- 50 Page 31, line 31, after “regulations” insert “(and “let the property” may be defined  
 to include “continue to let the property”)”
- 51 Page 31, line 42, leave out subsection (7) and insert –  
 “(7) The first non-domestic energy efficiency regulations must come into force  
 no later than 1 April 2018.”

**Clause 49**

- 52 Page 33, line 26, leave out “40(7)” and insert “[*Domestic energy efficiency regulations:  
 England and Wales*](5)”

**Clause 51**

- 53 Page 34, line 22, leave out “or any regulations replacing those regulations”

**After Clause 51**

- 54 Insert the following new Clause –

**“Scottish domestic energy efficiency regulations**

- (1) The Scottish Ministers may make regulations for the purpose of securing that a landlord of a Scottish domestic PR property –
  - (a) which is of such description of Scottish domestic PR property as is provided for by the regulations,
  - (b) in relation to which there is an energy performance certificate, and
  - (c) which falls below such level of energy efficiency (as demonstrated by the energy performance certificate) as is provided for by the regulations,
 may not let the property until the landlord has complied with the obligation mentioned in subsection (2).
- (2) The obligation is to make to the property such relevant energy efficiency improvements as are provided for by the regulations.
- (3) Regulations under this section are referred to in this Chapter as “Scottish domestic energy efficiency regulations”.
- (4) For the purposes of Scottish domestic energy efficiency regulations –
 

“energy performance certificate” has the meaning given by the Energy Performance (Scotland) Regulations;

“landlord” and “let the property” have the meaning given by the regulations (and “let the property” may be defined to include “continue to let the property”); and

“relevant energy efficiency improvements” means improvements which –

  - (a) are of such description as the regulations provide, and
  - (b) can be –
    - (i) wholly paid for pursuant to a green deal plan as provided for by Chapter 1 of this Part,
    - (ii) provided free of charge pursuant to an obligation imposed by an order made under section 33BC or 33BD of the Gas Act 1986 or section 41A or 41B of the Electricity Act 1989,
    - (iii) wholly financed pursuant to a combination of such a plan and such an obligation, or
    - (iv) financed by such other description of financial arrangement as the regulations provide.
- (5) The Scottish Ministers may by order amend the definition of “energy performance certificate” in subsection (4).
- (6) Scottish domestic energy efficiency regulations may come into force no earlier than 1 April 2015.”

55 Insert the following new Clause –

**“Further provision about Scottish domestic energy efficiency regulations**

- (1) Scottish domestic energy efficiency regulations may, in particular, include provision about –
  - (a) the period within which improvements required by the regulations must be started or completed;

- (b) exemptions from any requirement imposed by or under the regulations;
  - (c) evidence relating to any requirement imposed by or under the regulations.
- (2) Provision falling within subsection (1)(b) includes, in particular, provision about exemptions –
- (a) relating to any necessary permissions or consents;
  - (b) relating to the likely negative impact on the value of a property of complying with a requirement imposed by or under the regulations.
- (3) Provision falling within subsection (1)(c) includes, in particular, provision about evidence for the purpose of demonstrating –
- (a) an exemption from a requirement imposed by or under the regulations;
  - (b) that a property is not one in relation to which the regulations have effect;
  - (c) that the improvements required by or under the regulations are not relevant energy efficiency improvements within the meaning given by the regulations.”

**Clause 52**

56 Page 34, line 29, leave out Clause 52

**Clause 53**

57 Page 35, line 17, leave out Clause 53

**Clause 54**

58 Page 36, line 24, leave out Clause 54

**Clause 55**

- 59 Page 37, line 11, leave out “about –” and insert “ –  
 (za) for a local authority to enforce any requirement imposed by or under the regulations;”
- 60 Page 37, line 12, at beginning insert “about”
- 61 Page 37, line 14, at beginning insert “about”
- 62 Page 37, line 16, leave out “both cases” and insert “cases falling within paragraph (a) or (b)”

**Clause 56**

63 Page 38, line 7, leave out subsection (1)

**Clause 58**

64 Page 39, line 43, leave out “costs” and insert “expenses”

65 Page 40, line 21, leave out “costs” and insert “expenses”

**Clause 59**

66 Page 40, line 35, leave out subsection (1)

67 Page 41, line 16, leave out “, “let the property” and “tenant”” and insert “and “let the property””

68 Page 41, line 17, after “regulations” insert “(and “let the property” may be defined to include “continue to let the property”)”

**Clause 61**

69 Page 42, line 40, leave out “costs” and insert “expenses”

**Clause 62**

70 Page 43, line 8, leave out subsection (2)

71 Page 43, line 10, leave out subsections (3) and (4) and insert –

“(3) Orders under this Chapter are subject to the negative procedure.

(4) Regulations under this Chapter are subject to the affirmative procedure.”

**Clause 69**

72 Page 53, line 23, at end insert –

“(6A) 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.

(6B) 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.”

**Clause 73**

73 Page 56, line 9, leave out paragraph (b)

74 Page 56, line 10, leave out subsection (6) and insert –

“(6) Regulations under this section are subject to the negative procedure.”

**Clause 75**

75 Page 57, line 21, leave out subsection (2)

**Clause 79**

76 Page 61, line 13, leave out from “consultation” to “the” in line 14 and insert “before, as well as consultation after,”

**Clause 80**

- 77 Page 62, line 10, after “have” insert “piped”
- 78 Page 62, line 14, at end insert –  
“(1A) This section does not apply by virtue of subsection (1)(c) where a person makes an application to the owner of a gas processing facility for a right to have gas processed by the facility for a downstream purpose (as to which, see section 12 of the Gas Act 1995).”
- 79 Page 63, line 39, at end insert –  
“(10A) A notice under subsection (10) may also contain such provisions as the Secretary of State considers appropriate for the purpose of ensuring that no person suffers a loss by reason of the mixing together of –  
(a) substances conveyed by the pipeline or processed by the facility on behalf of the applicant in exercise of a right secured by the notice; and  
(b) substances conveyed by the pipeline or processed by the facility by or on behalf of any other person.”
- 80 Page 63, line 48, leave out from “applicant” to end of line 3 on page 64 and insert –  
“(12A) If a notice under subsection (10) contains provision of a sort mentioned in subsection (9) or (10A) the Secretary of State must give a copy of the notice to every person who has a right to have anything conveyed by the pipeline or processed by the facility.  
(12B) Before giving a copy of a notice under subsection (12A) the Secretary of State must –  
(a) remove from the copy any provision included in the notice by virtue of subsection (10)(d) or (11)(a); and  
(b) after giving the owner and the applicant an opportunity to be heard, remove from the copy any other provision included in the notice which the Secretary of State considers may prejudice the commercial interests of the owner or the applicant if not removed.”

**Clause 82**

- 81 Page 65, line 42, leave out from beginning to “person” in line 44 and insert “If a notice under subsection (2) contains provision by virtue of subsection (4) the Secretary of State must give a copy of the notice to every”
- 82 Page 65, line 45, at end insert –  
“(5A) Before giving a copy of a notice under subsection (5) the Secretary of State must –  
(a) remove from the copy any provision included in the notice by virtue of subsection (3)(b); and  
(b) after giving the owner and the applicant an opportunity to be heard, remove from the copy any other provision included in the notice which the Secretary of State considers may prejudice the commercial interests of the owner or the applicant if not removed.”

**Clause 88**

- 83 Page 70, line 6, leave out from second “facility” to end of line 7 and insert “which—  
 (a) carries out gas processing operations in relation to piped gas;  
 (b) is operated otherwise than by a gas transporter; and  
 (c) is not an LNG import or export facility (within the meaning of section 12 of the Gas Act 1995);”
- 84 Page 70, line 12, at end insert—  
 ““piped gas” means gas which—  
 (a) originated from a petroleum production project; and  
 (b) has been conveyed only by means of pipes;”
- 85 Page 70, line 18, at end insert “and is not a carbon dioxide pipeline”
- 86 Page 70, line 32, at end insert—  
 ““carbon dioxide pipeline” means—  
 (a) a pipeline used to convey carbon dioxide to a carbon dioxide storage site; or  
 (b) a pipeline which is not being used for any purpose but which is intended to be used to convey carbon dioxide to such a site;  
 “carbon dioxide storage site” means a facility—  
 (a) for the storage of carbon dioxide (with a view to its permanent disposal, or as an interim measure prior to its permanent disposal); and  
 (b) in respect of the use of which a person is required to have a licence under section 18 of the Energy Act 2008;”

**After Clause 89**

- 87 Insert the following new Clause—

**“Acquisition of rights to use gas processing facilities for downstream purposes**

- (1) Section 12 of the Gas Act 1995 (acquisition of rights to use gas processing facilities) is amended as follows.
- (2) In the heading at the end insert “for downstream purposes”.
- (3) For “the Secretary of State” (in each place those words occur) substitute “the Authority”.
- (4) In subsection (1)—
  - (a) in the words before paragraph (a), after “gas processing facility” insert “which processes gas for a downstream purpose”;
  - (b) in that paragraph for “on that person’s behalf” substitute “for such a purpose”.
- (5) After subsection (1) insert—
 

“(1ZA) At least two months before publishing those conditions or any changes to them under subsection (1), the owner of the facility must—

  - (a) publish a draft of the proposed conditions or changes; and

- (b) inform any person who has a right to have gas processed by the facility that the draft has been published.
- (1ZB) The owner of the facility must take into account any representations received about the proposed conditions or changes before publishing them, or a modified version of them, as final conditions or changes under subsection (1)."
- (6) In subsection (1B) for "on his behalf" substitute "for a downstream purpose".
  - (7) In subsection (1D) –
    - (a) omit the "and" immediately preceding paragraph (c);
    - (b) after paragraph (c) insert "and
    - (d) that the gas is to be processed for a downstream purpose".
  - (8) In subsection (1G) for "he" substitute "it".
  - (9) In subsection (2)(b) for "his" substitute "its".
  - (10) For subsections (5) and (5A) substitute –
    - "(5) Sections 28 to 30F of the 1986 Act (enforcement of relevant requirements etc) apply in relation to the owner of a gas processing facility as if –
      - (a) references to "a licence holder" were references to the owner of the facility; and
      - (b) references to a "relevant requirement" were references to a requirement imposed on the owner under this section.
    - (5A) For the purposes of this section, gas is processed for "a downstream purpose" if it is processed with a view to its being put into a gas storage facility, an LNG import or export facility, a gas interconnector or a distribution system pipeline."
  - (11) In subsection (6) –
    - (a) in the definition of "gas processing facility" for the words from "carries" to the end substitute " –
      - (a) carries out gas processing operations;
      - (b) is operated otherwise than by a gas transporter; and
      - (c) is not an LNG import or export facility;";
    - (b) insert, in the appropriate place, the following definitions –
      - ""authorised transporter" has the same meaning as in Part 1 of the 1986 Act;";
      - ""the Authority" means the Gas and Electricity Markets Authority;";
      - ""distribution system operator" has the meaning given by Article 2(6) of Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC;";

““distribution system pipeline” means a pipeline operated by an authorised transporter who is a distribution system operator;”;

““gas interconnector” has the same meaning as in Part 1 of the 1986 Act;”;

““gas storage facility” means a facility in Great Britain (including the territorial sea adjacent to Great Britain and the sea in any area designated under section 1(7) of the Continental Shelf Act 1964) for either or both of the following –

(a) the storage in porous strata, or in cavities in strata, of gas which has been, or will be, conveyed in a pipeline system operated by the holder of a licence under section 7 or 7ZA of the 1986 Act;

(b) the storage of liquid gas which, if regasified, would be suitable for conveyance through pipes to premises in accordance with a licence under section 7 of the 1986 Act;

but the reference in paragraph (b) to the storage of liquid gas does not include such temporary storage as is mentioned in the definition of “LNG import or export facility”;”;

““LNG import or export facility” means a facility in Great Britain (including the territorial sea adjacent to Great Britain and the sea in any area designated under section 1(7) of the Continental Shelf Act 1964) for –

(a) the importation into Great Britain and regasification of liquid gas prior to its conveyance to a pipeline system operated by the holder of a licence under section 7 or section 7ZA of the 1986 Act, or the liquefaction of gas for the purpose of its export from Great Britain; and

(b) any activity, including temporary storage of gas or liquid gas, which is necessary for that importation, regasification or liquefaction;”;

““storage”, in relation to liquid gas in a gas storage facility, includes any liquefaction of gas or regasification of liquid gas ancillary to the storage of liquid gas, and “stored”, in relation to liquid gas in a gas storage facility, shall be construed accordingly;”.

(12) For subsection (7) substitute –

“(7) Section 89 of the Energy Act 2011 (meaning of “associate”) applies for the purposes of subsection (3) of this section as it applies for the purposes of section 80(6)(d) and (8)(a) of that Act.””

#### Clause 95

- 89 Page 76, line 32, after “conditions of” insert “generation, distribution and supply”
- 90 Page 76, line 35, after “conditions of” insert “transporter, supply and shipping”
- 91 Page 76, line 37, at end insert –
- “(11A) In section 146(5) of the Energy Act 2004 (standard conditions of interconnector licences under Part 1 of the Electricity Act 1989), for “or under this Act” substitute “, under this Act or under section 95 of the Energy Act 2011”.
- (11B) In section 150(5) of the Energy Act 2004 (standard conditions of interconnector licences under Part 1 of the Gas Act 1986), for “or under this Act” substitute “, under this Act or under section 95 of the Energy Act 2011”.”

#### **After Clause 101**

- 92 Insert the following new Clause –

##### **“Regulation of security of nuclear construction sites**

- (1) Section 77 of the Anti-terrorism, Crime and Security Act 2001 (regulation of security of civil nuclear industry) is amended as follows.
- (2) In subsection (1) (list of matters that may be regulated) after paragraph (c) insert –
  - “(cza) nuclear construction sites and equipment used or stored on such sites;”.
- (3) In subsection (7) after the definition of “equipment” insert –
  - ““nuclear construction site” means a site –
    - (a) on which works are being carried out with a view to its becoming a nuclear site used wholly or mainly for purposes other than defence purposes; and
    - (b) which is situated within 5 kilometres of an existing nuclear site.””

- 93 Insert the following new Clause –

##### **“Agreement about modifying decommissioning programme**

- (1) Section 46 of the Energy Act 2008 (approval of a decommissioning programme) is amended as follows.
- (2) After subsection (3) insert –
  - “(3A) When approving a programme the Secretary of State may agree to exercise, or not to exercise, the section 48 power –
    - (a) in a particular manner;
    - (b) within a particular period.
  - (3B) An agreement under subsection (3A) may subsequently be amended by the Secretary of State and the other party to the agreement.

- (3C) The Secretary of State may not make such an agreement or amend such an agreement unless satisfied that the agreement (or the agreement as amended) includes adequate provision for the modification of the programme in the event that the provision made by it for the technical matters (including the financing of the designated technical matters) ceases to be prudent.
  - (3D) Provision in such an agreement (including the provision mentioned in subsection (3C)) may include provision –
    - (a) for a determination by a third party in relation to a relevant matter specified in the agreement, and
    - (b) for the Secretary of State to be bound by such a determination.
  - (3E) A “relevant matter” is a matter relating to the provision made by the programme for the technical matters.
  - (3F) Subsections (3A) to (3D) apply notwithstanding that the agreement or amendment fetters the Secretary of State’s discretion.
  - (3G) In subsection (3A) “section 48 power” means the power of the Secretary of State under section 48 to propose a modification of the programme or a modification of the conditions to which the approval of the programme is subject.”
- (3) In subsection (4) for “(3)” substitute “(3B)”.

**94** Insert the following new Clause –

**“Abandonment: infrastructure converted for CCS demonstration sites**

- (1) The Energy Act 2008 is amended as follows.
- (2) After section 30 insert –

**““95B=30>AInstallations converted for CCS demonstration projects**

- (1) The Secretary of State may by order designate an installation as an eligible CCS installation.
- (2) But an order may not be made under subsection (1) in relation to –
  - (a) a carbon storage installation established or maintained under a licence granted by the Scottish Ministers, or
  - (b) any other installation established or maintained wholly or partly in Scotland.
- (3) An order under subsection (1) ceases to have effect if the installation in relation to which it is made becomes an installation within subsection (2)(a).
- (4) An eligible CCS installation qualifies for change of use relief if –
  - (a) the installation is or has been used as part of a CCS demonstration project, and
  - (b) the trigger event has occurred in relation to the installation at a time when the installation was so used (whether before or after it was designated under this section).

- (5) The trigger event occurs—
  - (a) in relation to an installation used for the injection of captured carbon dioxide into a carbon storage facility as part of a CCS demonstration project, when captured carbon dioxide is first present at the installation, and
  - (b) in relation to an installation used as part of a CCS demonstration project for any other purpose, when captured carbon dioxide is first present at another installation used as mentioned in paragraph (a) as part of the same project.
- (6) Where an eligible CCS installation qualifies for change of use relief—
  - (a) an abandonment programme notice must not be served on a person who is within section 30(1) of the 1998 Act only because one or more of subsections (7) to (9) applies in relation to the person (but this does not affect the validity of a notice served on any such person before the installation qualified for change of use relief), and
  - (b) a proposal must not be made under section 34(1)(b) of the 1998 Act if the effect of the proposal (if implemented) would be to impose an abandonment liability on a person who is within section 34(2)(a) of the 1998 Act only because one or more of subsections (7) to (10) applies in relation to the person.
- (7) This subsection applies in relation to a person if—
  - (a) the person is within paragraph (b) of section 30(1) of the 1998 Act in relation to the installation only by virtue of the fact that the person had a right mentioned in section 30(5)(a) of that Act when an activity mentioned in section 30(6) of that Act was last carried on from, by means of or on the installation, and
  - (b) any such activity was last so carried on before the trigger event occurred in relation to the installation.
- (8) This subsection applies in relation to a person if—
  - (a) the person is within paragraph (ba) of section 30(1) of the 1998 Act in relation to the installation, and
  - (b) the transfer mentioned in sub-paragraph (i) of that paragraph took place before the trigger event occurred in relation to the installation.
- (9) This subsection applies in relation to a person if the person is within paragraph (e) of section 30(1) of the 1998 Act only by virtue of being associated with a body corporate which is within subsection (7) or (8).
- (10) This subsection applies in relation to a person if the person has been within any of paragraphs (a), (b), (c), (d) or (e) of section 30(1) of the 1998 Act in relation to the installation, but only at a time—
  - (a) when the installation was an offshore installation (within the meaning given by section 44 of the 1998 Act), and

- (b) before the trigger event occurred in relation to the installation.
- (11) The power conferred by subsection (1) does not include a power to revoke an order made under that subsection.
- (12) In this section—
- “abandonment liability”, in relation to an installation, means a duty to secure that an abandonment programme for the installation is carried out;
  - “abandonment programme”, in relation to an installation, means a programme in respect of the installation approved, or having effect as if approved, by the Secretary of State under section 32 of the 1998 Act;
  - “abandonment programme notice” means a notice served under section 29(1) of the 1998 Act;
  - “captured carbon dioxide” means carbon dioxide that has been produced by, or in connection with, commercial electricity generation and captured with a view to its disposal by way of permanent storage;
  - “carbon dioxide”, “CCS demonstration project” and “commercial electricity generation” have the same meanings as in Part 1 of the Energy Act 2010 (see section 7 of that Act);
  - “carbon storage facility” has the same meaning as in section 20;
  - “Scotland” has the same meaning as in the Scotland Act 1998 (see section 126(1) of that Act).
- (13) Section 30(8) to (9) of the 1998 Act (when one body corporate is associated with another) apply for the purposes of this section.

**“95B =30>BSubmarine pipelines converted for CCS demonstration projects**

- (1) The Secretary of State may by order designate a submarine pipeline as an eligible CCS pipeline.
- (2) An eligible CCS pipeline qualifies for change of use relief if—
- (a) the pipeline is or has been used as part of a CCS demonstration project for a purpose other than the transport of petroleum, and
  - (b) the trigger event has occurred in relation to the pipeline at a time when the pipeline was so used (whether before or after it was designated under this section).
- (3) The trigger event—
- (a) in relation to a pipeline used to transport captured carbon dioxide as part of a CCS demonstration project, occurs when captured carbon dioxide is first present in the pipeline, and
  - (b) in relation to a pipeline used as part of a CCS demonstration project for any other purpose, occurs—
    - (i) when captured carbon dioxide is first present in another pipeline used as part of the same project, or

- (ii) if earlier, when captured carbon dioxide is first present at an installation used as part of the same project for the injection of captured carbon dioxide into a carbon storage facility.
- (4) Where an eligible CCS pipeline qualifies for change of use relief, a proposal must not be made under section 34(1)(b) of the 1998 Act if the effect of the proposal (if implemented) would be to impose an abandonment liability on a person who is within section 34(2)(b) of the 1998 Act only because subsection (5) applies in relation to the person.
- (5) This subsection applies in relation to a person if the person has been within any of paragraphs (a) to (c) of section 30(2) of the 1998 Act in relation to the pipeline, but only at a time –
  - (a) when the pipeline was used solely for activities other than activities connected with any mentioned in section 17(2)(a), (b) or (c), and
  - (b) before the trigger event occurred in relation to the pipeline.
- (6) The power conferred by subsection (1) does not include a power to revoke an order made under that subsection.
- (7) In this section –
  - “abandonment liability”, in relation to a submarine pipeline, is a duty to secure that an abandonment programme for the pipeline is carried out;
  - “abandonment programme”, in relation to a submarine pipeline, means a programme in respect of the pipeline approved, or having effect as if approved, by the Secretary of State under section 32 of the 1998 Act;
  - “captured carbon dioxide” and “CCS demonstration project” have the same meanings as in section 30A;
  - “carbon storage facility” has the same meaning as in section 20;
  - “petroleum” has the same meaning as in Part 1 of the 1998 Act (see section 1 of that Act) and includes petroleum that has undergone any processing;
  - “submarine pipeline” has the same meaning as in Part 4 of the Petroleum Act 1998 (see section 45 of that Act).”
- (3) In the cross heading before section 30, for “installations” substitute “infrastructure”.
- (4) In section 30 (abandonment of installations) –
  - (a) in subsection (1) (application of Part 4 of Petroleum Act 1998 in relation to abandonment of carbon storage installations) –
    - (i) for “the 1998 Act” substitute “referred to in this section and sections 30A and 30B as “the 1998 Act””, and
    - (ii) at the end insert “and section 30A”,

- (b) after subsection (4) (power to make regulations modifying Part 4 of the 1998 Act in its application to carbon storage installations) insert—
  - “(4A) The power in subsection (4) is subject to section 30A.”, and
  - (c) in subsection (5) (meaning of “carbon storage installation”) after “this section” insert “and section 30A”.
- (5) In section 105(2) (parliamentary control of subordinate legislation), after paragraph (a) insert—
- “(aa) an order which contains provision made under section 30A or 30B only (powers to designate installations and submarine pipelines as eligible CCS installations and eligible CCS pipelines);”.

95 Insert the following new Clause—

**“Carbon dioxide pipelines: powers of compulsory acquisition**

- (1) The Pipe-lines Act 1962 is amended as follows.
- (2) In section 12 (orders for compulsory acquisition of rights over land for pipe-line construction)—
  - (a) in subsection (1), for “the next following section” substitute “section 13”;
  - (b) in subsections (2), (4), (5)(a) and (b), (5A) (in both places), (6) and (7), after “a compulsory rights order” insert “under this section”;
  - (c) in subsection (3), after “compulsory rights orders” insert “under this section”.
- (3) After section 12 insert—

*“Pipe-lines for Conveying Carbon Dioxide: Compulsory Acquisition of Rights over Land*

**“95B =12>AOrders for compulsory acquisition of rights over land: pipe-lines for conveying carbon dioxide**

- (1) This section applies in relation to a pipe-line (or a length of a pipe-line) that is intended to be converted into a pipe-line (or length) used for conveying carbon dioxide.
- (2) The owner of the pipe-line may apply to the Secretary of State for an order under subsection (3) in relation to land in which the pipe-line (or a length of the pipe-line) is situated.
- (3) An order under this subsection is an order authorising the owner of the pipe-line to do one or more of the following—
  - (a) to use the pipe-line (or length of the pipe-line) in the land described in the order to convey carbon dioxide;
  - (b) to execute pipe-line works in the land which are necessary in consequence of the presence of the pipe-line (or length) in the land;

- (c) to execute pipe-line works in the land to enable the pipe-line (or length) to be used to convey carbon dioxide or in consequence of its use to convey carbon dioxide;
  - (d) to exercise, in relation to the pipe-line (or length), such of the rights mentioned in Schedule 4 as may be specified in the order.
- (4) An order under this subsection is referred to in this Act as a “compulsory rights order”.
  - (5) A compulsory rights order under this section may be made subject to conditions (see section 13).
  - (6) On receiving an application under subsection (2), the Secretary of State may grant or refuse the application.
  - (7) Part 1 of Schedule 2, as modified by Part 2 of that Schedule, has effect in relation to applications for compulsory rights orders under this section.
  - (8) A compulsory rights order under this section enures for the benefit of the owner for the time being of the pipe-line.
  - (9) The Secretary of State may by order revoke a compulsory rights order under this section, in whole or in part, if—
    - (a) the pipe-line (or length of the pipe-line) is diverted from the land described in the order,
    - (b) the pipe-line (or length) is abandoned,
    - (c) the pipe-line (or length) ceases to be used to convey carbon dioxide, or
    - (d) the owner of the pipe-line makes an application for the revocation of the order.
  - (10) A compulsory rights order under this section does not affect any right over the land described in the order that would not have been affected had the land been compulsorily purchased by virtue of a compulsory purchase order.
  - (11) A compulsory rights order under this section does not authorise the disregard of any enactment or of any instrument having effect by virtue of any enactment.
  - (12) A compulsory rights order under this section is not to be taken to confer a right of support for the pipeline (or length of pipeline).
  - (13) A compulsory rights order under this section is to be subject to special parliamentary procedure.
  - (14) For the purposes of this section, “carbon dioxide” includes any substance consisting primarily of carbon dioxide.

*Compulsory Rights Orders under Sections 12 and 12A: Supplementary Provisions”.*

- (4) In section 66 (general interpretation provisions), in subsection (1), in the definition of “compulsory rights order”, for “subsection (1) of section twelve” substitute “sections 12(1) and 12A(3)”.

- (5) In Schedule 2—
  - (a) in the shoulder reference, after “12,” insert “12A,”;
  - (b) in paragraph 10(1), for “subsection (3) of section twelve of this Act” substitute “sections 12(3) and 12A(4)”.
- (6) In Schedule 4, in the shoulder reference, for “Section 12” substitute “Sections 12 and 12A”.

96 Insert the following new Clause—

**“Contribution to carbon budgeting under the Climate Change Act 2008**

- (1) The Secretary of State must prepare and publish an annual report on the extent to which—
  - (a) green deal plans under Chapter 1 of Part 1, and
  - (b) the energy company obligations provisions,have contributed to the Secretary of State fulfilling the duty under section 4(1)(b) of the Climate Change Act 2008 (carbon budgeting).
- (2) The “energy company obligations provisions” means—
  - (a) sections 33BC and 33BD of the Gas Act 1986 and sections 41A and 41B of the Electricity Act 1989 (promotion of reductions in carbon emissions and home-heating costs),
  - (b) sections 103 and 103A of the Utilities Act 2000 (overall carbon emissions and home-heating cost reduction targets), and
  - (c) section 103B of the Utilities Act 2000 (Secretary of State’s power to require information about carbon emissions and home-heating cost reduction targets).
- (3) The first report under this section must be published before the end of 2014.
- (4) The Secretary of State must lay before Parliament a copy of each report under this section.”

97 Insert the following new Clause—

**“Energy efficiency aim**

- (1) The Secretary of State must take such action as he considers appropriate to improve the energy efficiency of residential accommodation in England so as to contribute to the Secretary of State fulfilling the duty under section 1(1) of the Climate Change Act 2008 (reduction of net UK carbon account by 2050).
- (2) In subsection (1) “residential accommodation” has the meaning given by section 1 of the Home Energy Conservation Act 1995.
- (3) Section 2 of the Sustainable Energy Act 2003 (energy efficiency of residential accommodation) ceases to have effect.
- (4) In section 9 of the Sustainable Energy Act 2003 (citation, extent and commencement), in subsections (3) and (5) leave out “2,”.

98 Insert the following new Clause—

**“Adjustment of electricity transmission charges**

‘In section 185(11) of the Energy Act 2004 (areas suitable for renewable electricity generation: end date for schemes adjusting transmission charges) for “2024” substitute “2034”.’

99 Insert the following new Clause –

**“Electricity from renewable sources: National Park authorities and Broads Authority**

- (1) This section applies to a body which is a National Park authority or the Broads Authority.
- (2) The body may –
  - (a) produce electricity from a renewable source;
  - (b) establish and operate generating stations and other installations for the purpose of producing electricity from a renewable source;
  - (c) make grants or loans to enable other persons to do anything which the body may do by virtue of paragraph (a) or (b);
  - (d) use, sell or otherwise dispose of electricity produced by virtue of the powers conferred by this section.
- (3) A “renewable source” is –
  - (a) in England and Wales, a source listed in regulation 2 of the Sale of Electricity by Local Authorities (England and Wales) Regulations 2010 (S.I. 2010/1910);
  - (b) in Scotland, a source listed in regulation 2 of the Sale of Electricity by Local Authorities (Scotland) Regulations 2010 (S.I. 2010/1908).
- (4) Any regulations which –
  - (a) are made in exercise of the power conferred by section 11(3) of the Local Government (Miscellaneous Provisions) Act 1976 (power to prescribe the circumstances in which local authorities may sell electricity), and
  - (b) amend, revoke or re-enact regulation 2 of the Sale of Electricity by Local Authorities (England and Wales) Regulations 2010,
 may amend subsection (3)(a) for the purpose of providing what is a “renewable source” in England and Wales.
- (5) Any regulations which –
  - (a) are made in exercise of the power conferred by section 170A(3) of the Local Government (Scotland) Act 1973 (power to prescribe the circumstances in which local authorities may sell electricity), and
  - (b) amend, revoke or re-enact regulation 2 of the Sale of Electricity by Local Authorities (Scotland) Regulations 2010,
 may amend subsection (3)(b) for the purpose of providing what is a “renewable source” in Scotland.
- (6) Nothing in this section –
  - (a) exempts a body from the requirements of Part 1 of the Electricity Act 1989, or
  - (b) affects what a body has power to do apart from this section.”

100 Insert the following new Clause—

**“Renewable heat incentives in Northern Ireland**

- (1) The Department of Enterprise, Trade and Investment may make regulations—
  - (a) establishing a scheme to facilitate and encourage renewable generation of heat in Northern Ireland, and
  - (b) about the administration and financing of the scheme.
- (2) Regulations under this section may, in particular—
  - (a) make provision for the Department or NIAUR to make payments, or to require designated fossil fuel suppliers to make payments, in specified circumstances, to—
    - (i) the owner of plant used or intended to be used for the renewable generation of heat, whether or not the owner is also operating or intending to operate the plant;
    - (ii) a producer of biogas or biomethane;
    - (iii) a producer of biofuel for generating heat;
  - (b) make provision about the calculation of such payments;
  - (c) make provision about the circumstances in which such payments may be recovered;
  - (d) require designated fossil fuel suppliers to provide specified information to the Department or NIAUR;
  - (e) make provision for payments to fossil fuel suppliers in specified circumstances;
  - (f) make provision about the enforcement of obligations imposed by or by virtue of the regulations (which may include a power for the Department or NIAUR to impose financial penalties);
  - (g) confer functions on the Department or NIAUR, or both.
- (3) In this section—
  - “biofuel” means liquid or gaseous fuel which is produced wholly from biomass;
  - “biogas” means gas produced by the anaerobic or thermal conversion of biomass;
  - “biomass” means material, other than fossil fuel or peat, which is, or is derived directly or indirectly from, plant matter, animal matter, fungi or algae;
  - “biomethane” means biogas which is suitable for conveyance through pipes to premises in accordance with a licence under Article 8(1)(a) of the Gas (Northern Ireland) Order 1996 (S.I. 1996/275 (N.I. 2)) (licences to convey gas);
  - “the Department” means the Department of Enterprise, Trade and Investment;
  - “designated fossil fuel suppliers” means—
    - (a) if the regulations so provide, a specified class of fossil fuel suppliers, and
    - (b) in any other case, all fossil fuel suppliers;
  - “fossil fuel” means—
    - (a) coal;

- (b) lignite;
- (c) natural gas (within the meaning of the Energy Act 1976);
- (d) crude liquid petroleum;
- (e) petroleum products (within the meaning of that Act);
- (f) any substance produced directly or indirectly from a substance mentioned in paragraphs (a) to (e);

“fossil fuel supplier” means a person who supplies fossil fuel to consumers for the purpose of generating heat;

“functions” includes powers and duties;

“modify” includes amend, add to or repeal;

“NIAUR” means the Northern Ireland Authority for Utility Regulation;

“owner”, in relation to any plant which the subject of a hire purchase agreement, a conditional sale agreement or any agreement of a similar nature, means the person in possession of the plant under that agreement;

“plant” includes any equipment, apparatus or appliance;

“renewable generation of heat” means the generation of heat by means of a source of energy or technology mentioned in subsection (4).

- (4) The sources of energy and technologies are –
  - (a) biomass;
  - (b) biofuels;
  - (c) fuel cells;
  - (d) water (including waves and tides);
  - (e) solar power;
  - (f) geothermal sources;
  - (g) heat from air, water or the ground;
  - (h) combined heat and power systems (but only if the system’s source of energy is a renewable source within the meaning given by Article 55F of the Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6)));
  - (i) biogas.
- (5) The Department may by regulations –
  - (a) modify the list of sources of energy and technologies in subsection (4);
  - (b) modify the definition of “biofuel”, “biogas” or “biomass” in subsection (3).
- (6) The Department may by regulations make provision, for the purposes of subsection (2)(a)(iii) and the definition of “fossil fuel supplier”, specifying that particular activities do or do not constitute generating heat.
- (7) Any power to make regulations under this section is to be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).
- (8) Regulations under this section may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

- (9) Regulations under this section may –
- (a) provide for a person to exercise a discretion in dealing with any matter;
  - (b) include incidental, supplementary and consequential provision;
  - (c) make transitory or transitional provisions or savings;
  - (d) make provision generally, only in relation to specified cases or subject to exceptions (including provision for a case to be excepted only so long as conditions specified in the regulations are satisfied);
  - (e) make different provision for different cases or circumstances or for different purposes.”

101 Insert the following new Clause –

**“Power for Gas and Electricity Markets Authority to act on behalf on Northern Ireland authority in connection with scheme under section [Renewable heat incentives in Northern Ireland]**

- (1) GEMA and a Northern Ireland authority may enter into arrangements for GEMA to act on behalf of the Northern Ireland authority for, or in connection with, the carrying out of any functions that may be conferred on the Northern Ireland authority under, or for the purposes of, any scheme that may be established, under section [*Renewable heat incentives in Northern Ireland*].
- (2) In this section –
- “GEMA” means the Gas and Electricity Markets Authority;
  - “Northern Ireland authority” means –
    - (a) the Department of Enterprise, Trade and Investment, or
    - (b) the Northern Ireland Authority for Utility Regulation.”

**Clause 102**

102 Page 80, line 2, leave out Clause 102

**Before Clause 105**

103 Insert the following new Clause –

**“Amendment of section 137 of the Energy Act 2004**

In section 137(3) of the Energy Act 2004 (standard conditions of transmission licences under Part 1 of the Electricity Act 1989) –

- (a) in paragraph (a) omit “or”, and
- (b) after paragraph (b) insert –
  - “(c) under the Energy Act 2008,
  - (d) under the Energy Act 2010, or
  - (e) under the Energy Act 2011,”.

**Clause 105**

104 Page 81, line 20, leave out subsections (1) and (2) and insert –

- “(1) The Home Energy Conservation Act 1995—
  - (a) ceases to have effect in Scotland;
  - (b) ceases to apply in relation to energy conservation authorities in Wales.
- (2) In section 1 of that Act (interpretation) in the definition of “energy conservation measures” after “promotion,” insert “any available financial assistance,”.
- (3) In section 1 of the Sustainable Energy Act 2003 (annual report on the progress towards sustainable energy aims)—
  - (a) subsection (1)(e) and the “and” immediately preceding it cease to have effect, and
  - (b) subsection (1AA) ceases to have effect.
- (4) In section 4 of that Act (energy efficiency of residential accommodation: energy conservation authorities) subsection (13)(b) ceases to have effect.”

105 Page 81, line 27, leave out subsection (4)

#### Before Clause 106

106 Insert the following new Clause—

#### “Consultation

‘A requirement for the Secretary of State to consult which arises under or by virtue of this Act may be satisfied by consultation before, as well as consultation after, the passing of this Act.’

#### Clause 106

107 Page 82, line 2, after “Wales),” insert—

“(ea) section [*Energy efficiency aim*],”

108 Page 82, line 11, at end insert—

“(ca) section 33(5A) (green deal appeals: revocation or amendment of delegated legislation by Scottish Ministers),”

109 Page 82, line 15, at end insert—

“( ) Section [*Renewable heat incentives in Northern Ireland*] (renewable heat incentives in Northern Ireland) extends to Northern Ireland only.

“( ) Section [*Power for Gas and Electricity Markets Authority to act on behalf of Northern Ireland authority in connection with scheme under section [Renewable heat incentives in Northern Ireland]*] (power for Gas and Electricity Markets Authority to act on behalf of Northern Ireland authority in connection with scheme under section [*Renewable heat incentives in Northern Ireland*]) extends to England and Wales, Scotland and Northern Ireland.”

110 Page 82, line 18, leave out “28” and insert “[*Early repayment of green deal finance*]”

**Clause 107**

- 111 Page 82, line 25, leave out “made by statutory instrument”
- 112 Page 82, line 31, at end insert –  
“(ca) section 33(5A) (green deal appeals: revocation or amendment of delegated legislation by Scottish Ministers);”
- 113 Page 82, line 46, at end insert –  
“(ha) section [*Regulation of security of nuclear construction sites*] (regulation of security of nuclear construction sites);”
- 114 Page 82, line 46, at end insert –  
“( ) section [*Agreement about modifying decommissioning programme*] (agreement about modifying decommissioning programme)”
- 115 Page 83, line 2, at end insert –  
“( ) section [*Abandonment: infrastructure converted for CCS demonstration projects*] (abandonment: infrastructure converted for CCS demonstration projects).”
- 116 Page 83, line 2, at end insert –  
“( ) section [*Adjustment of electricity transmission charges*] (adjustment of electricity transmission charges);”
- 117 Page 83, line 2, at end insert ‘;’  
“( ) section [*Electricity from renewable sources: National Park authorities and Broads Authority*] (electricity from renewable sources: National Park authorities and Broads Authority)”
- 118 Page 83, line 2, at end insert –  
“( ) sections [*Renewable heat incentives in Northern Ireland*] and [*Power for Gas and Electricity Markets Authority to act on behalf of Northern Ireland authority in connection with scheme under section [Renewable heat incentives in Northern Ireland]*] (renewable heat incentives in Northern Ireland).”
- 119 Page 83, line 4, at end insert –  
“(a) section [*Preparatory expenditure: framework regulations*] (preparatory expenditure: framework regulations);”
- 120 Page 83, line 8, leave out first “section” and insert “sections [*Consultation*] and”
- 121 Page 83, line 11, leave out “to 4, 6” and insert “, 3, 4”

**Clause 108**

- 122 Page 83, line 23, leave out subsection (2)

**Schedule 1**

- 123 Page 84, line 7, leave out paragraph 2
- 124 Page 84, line 19, leave out paragraph 6

**Schedule 2**

**125** Page 87, line 21, leave out paragraphs 8 to 10

**126** Page 87, leave out lines 33 to 35 and insert –

“(A3) Pipelines that are relevant upstream petroleum pipelines for the purposes of section 80(1) of the Energy Act 2011 are excepted from the operation of this section.”

**Schedule 3**

**127** Page 88, line 20, leave out Schedule 3

**In the Title**

**128** Line 7, after “infrastructure” insert “and downstream gas processing facilities”

**129** Line 10, after “electricity;” insert “about the security of nuclear construction sites;”

**130** Line 10, after “sites” insert “and offshore infrastructure; for the use of pipelines for carbon capture and storage”

**131** Line 10, after “sites;” insert “for an annual report on contribution to carbon emissions reduction targets; for action relating to the energy efficiency of residential accommodation in England;”

**132** Line 10, after “sites;” insert “for the generation of electricity from renewable sources;”

**133** Line 10, after “sites;” insert “about renewable heat incentives in Northern Ireland;”

**134** Line 11, after “Authority;” insert “for an amendment of section 137 of the Energy Act 2004;”

**135** Line 11, after third “the” insert “amendment and”