

# EED implementation in the United Kingdom

## Introduction

The United Kingdom has fully implemented the Energy Efficiency Directive through the transposition of the requirements into UK law

## 1. Legal context

Transposition of the Directive has been delivered through amendment of existing secondary legislation combined with new secondary legislation where appropriate. In general, the Directive has been implemented on a UK-wide basis. However, in a number of areas, where the Devolved Administrations in Northern Ireland, Wales and Scotland have responsibility for implementation, legislation has been adopted by the Devolved Administrations rather than on a UK wide basis.

## 2. Status of the implementation

### 2.1. Legislative provisions

The table below provides details of implementation in the UK for each Article.

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Article 4	<p>The United Kingdom has transposed Article 4 of the Directive into domestic law in via The Energy Efficiency (Building Renovation and Reporting) Regulations 2014. These Regulations came into force on 30 April 2014.</p> <p>The Energy Efficiency (Building Renovation and Reporting) Regulations 2014 place an obligation on the Secretary of State for Energy and Climate Change to produce, publish and subsequently update the United Kingdom's building renovation strategy. The regulations are available at <a href="http://www.legislation.gov.uk/uksi/2014/1403/made">http://www.legislation.gov.uk/uksi/2014/1403/made</a></p> <p>The strategy was published and submitted to the Commission as part of the UK's National Energy Efficiency Action Plan published on 30 April 2014. It will be updated every three years as part of the UK's subsequent National Energy Efficiency Action Plans, which will be submitted in accordance with the Directive's requirements.</p>
Article 5	<p>The UK took the decision to implement the alternative approach allowed for by Article 5(6) and notified to the Commission the alternative measures that we have adopted to achieve an equivalent improvement in the energy performance of the buildings within the central government estate .</p>
Article 6	<p>The UK has transposed Article 6 of the Directive through administrative directions, known as Procurement Policy Notes, Procurement Guidance Notes or Procurement Advice Notes, promulgated by the UK government for England, by the Scottish Government for Scotland, the Welsh Assembly Government for Wales, and by the Northern Ireland Executive for Northern Ireland (NI). The UK Government Procurement Policy Note is here: <a href="https://www.gov.uk/government/publications/procurement-policy-note-0714-implementing-energy-efficiency-directive-article-6">https://www.gov.uk/government/publications/procurement-policy-note-0714-implementing-energy-efficiency-directive-article-6</a></p>
Article 7	<p>The UK set its target in December 2013 and notified this, and its proposed policy package for</p>

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	<p>achieving the target, to the European Commission in accordance with Article 7(9). Making use of the derogations available under Article 7, the UK's energy savings target has been set at the level of 324 TWh.</p> <p>The UK will meet its Article 7 energy savings target through a combination of supplier obligation schemes and alternative policy measures. and the UK's Article 7 notifications contains a full breakdown of the policy measures being used to meet the target and the energy savings that are projected to be achieved by these</p>
Article 8	<p>Article 8(1) to 8(3) have been transposed into UK law through a combination of new and pre-existing legal requirements. Article 8(4) to 8(6) were transposed into UK law via the Energy Savings Opportunity Scheme Regulations 2014. The regulations are available at <a href="http://www.legislation.gov.uk/ukxi/2014/1643/pdfs/ukxi_20141643_en.pdf">http://www.legislation.gov.uk/ukxi/2014/1643/pdfs/ukxi_20141643_en.pdf</a></p> <p>The Green Deal established a legal framework for non-domestic energy audits, and has led to the establishment of accredited schemes for non-domestic energy auditors. The Energy Saving Advice Service (operating in England and Wales), the Home Energy Advice Service (operating in Scotland) and the Bryson Energy Advice Service (operating in Northern Ireland) also offer householders and, in some cases businesses, advice on the benefits of energy audits and energy efficiency more generally.</p> <p>The Energy Efficiency (Encouragement, Assessment and Information) Regulations 2014 further created a requirement on the Secretary of State (in respect of England) and the relevant authorities for the Devolved Administrations, to develop programmes to encourage small or medium-sized enterprises to undergo energy audits and encourage the provision of energy efficiency information and training to consumers and relevant market actors. The regulations are available at <a href="http://www.legislation.gov.uk/ukxi/2014/1403/made">http://www.legislation.gov.uk/ukxi/2014/1403/made</a></p> <p>The Energy Savings Opportunity Scheme Regulations 2014 establish a new Energy Savings Opportunity Scheme ('ESOS') which places a requirement on large undertakings and associated corporate groups to undertake energy efficiency assessments by 5 December 2015 and thereafter once every four years.</p> <p>The UK Government estimates that there will be around 9,400 ESOS participants in the first phase of the scheme. Audits must be based on up to date energy measurement data, include energy consumption profiles where practicable, and identify cost-effective recommendations to improve energy efficiency. In line with the requirement that audits be proportionate and identify the most significant opportunities for improvement, ESOS participants will be required to measure their total energy consumption (across buildings, transport and industrial processes) and then ensure that at least 90% of total energy consumption is subject to energy audits.</p> <p>Audits must be undertaken or overseen by a qualified energy professional (a 'lead assessor'). The Government commissioned the British Standards Institute to work with industry to develop a publicly available specification (PAS 51215) setting out the level of competence required to act as a lead assessor for the purposes of ESOS. This PAS is available from BSI: <a href="http://shop.bsigroup.com">http://shop.bsigroup.com</a>.</p> <p>Further information about the Energy Savings Opportunity Scheme can be found on the UK Government website at <a href="https://www.gov.uk/guidance/energy-savings-opportunity-scheme-esos">https://www.gov.uk/guidance/energy-savings-opportunity-scheme-esos</a></p>
Articles 9-11 Smart metering	<p>Existing UK policy and legislation was largely consistent with the requirements of the Directive. The exception was the requirement for domestic consumers to have easy access to 24 months of daily, weekly, monthly and annual historical consumption data, and to have export data (where it is recorded) made available in an easily understandable format and this has been transposed through changes to licence conditions</p>

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	<p>The UK's Smart Meters Equipment Technical Specification (SMETS)<sup>1</sup> requires meters to be capable of providing customers with near real-time information on their energy use. Licence Conditions set out that only meters that meet SMETS requirements count towards the obligation the UK Government has put on energy suppliers' to have installed smart meters in all domestic properties by the end of 2020. SMETS has been notified to the European Commission and the specification that will replace it (SMETS 2), has also been notified<sup>2</sup>.</p> <p>In addition energy suppliers are required by Licence Conditions to offer customers an In Home Display (IHD) at the point of smart meter installation. The IHD will put customers in control by enabling them to see what energy they are using and how much it is costing and so identify ways of improving their energy efficiency. IHDs must be compliant with Licence Conditions which require minimum functionality that is set out in the Smart Meters Equipment Technical Specification<sup>3</sup>.</p> <p>In line Article 9(2)(b) of the Directive and EU data protection and privacy legislation, the Government has put in place a Data Access and Privacy Framework<sup>4</sup> that gives consumers control over who sees their energy consumption data, apart from where this is required for billing or other regulated duties. This regulatory framework, informed by international experience, has been implemented by Licence Conditions that came into force in June 2013 and:</p> <ul style="list-style-type: none"> <li>• Require suppliers to get explicit (opt-in) consent in order to use their customers' energy consumption data for marketing purposes;</li> <li>• Allow suppliers to access monthly data for billing and for the purposes of fulfilling any statutory requirement or licence obligation (such as settlement, or preventing theft);</li> <li>• Allow suppliers to access daily data provided that the customer does not object to (i.e. opt out of) this ; and</li> <li>• Require that suppliers must receive explicit (opt-in) consent in order to access half-hourly data.</li> </ul> <p>Network Operators will be permitted access to half-hourly energy consumption data provided that they develop and submit for approval plans detailing how privacy will be ensured (e.g. by aggregating the data so that individuals cannot be identified) and outlining what the data would be used for.</p> <p>The Smart Meters Equipment Technical Specification (SMETS)<sup>5</sup> also requires meters to be able to account for up to 3 months of electricity put into the grid. The Government has put into place Licence Conditions to ensure that if domestic customers request metering data on their electricity export and consumption, it will be made available to them by their supplier over the internet or via the provision of a free consumer access device which connects to the meter, according to day, week, month and year. These Licence Conditions came into effect on 4 June 2014.</p>

<sup>1</sup> *Smart Metering Equipment Technical Specifications: Second Version:*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/68898/smart\\_meters\\_equipment\\_technical\\_spec\\_version\\_2.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/68898/smart_meters_equipment_technical_spec_version_2.pdf)

<sup>2</sup> Notification reference: 2013/0046/UK.

<sup>3</sup> *Smart Metering Equipment Technical Specifications:*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/43087/6425-smart-metering-equipment-technical-specifications.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/43087/6425-smart-metering-equipment-technical-specifications.pdf)

<sup>4</sup> *Smart Meter Implementation Programme: Data access and privacy, December 2012:*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/43046/7225-gov-resp-sm-data-access-privacy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/43046/7225-gov-resp-sm-data-access-privacy.pdf)

<sup>5</sup> *Smart Metering Equipment Technical Specifications: Second Version:*  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/68898/smart\\_meters\\_equipment\\_technical\\_spec\\_version\\_2.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/68898/smart_meters_equipment_technical_spec_version_2.pdf)

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	<p>Licence conditions also put into place a smart meter installation Code of Practice<sup>6</sup> on 30 November 2012 that will ensure that at installation consumers are made aware of how to use, and benefit from, the smart metering equipment to improve the energy efficiency of their home and so fulfils the requirements of Article 9(2)(e) of the Directive.</p> <p>The Government has also put into place Licence Conditions to ensure that if domestic customers request metering data on their electricity or gas consumption, it will be made available to them by their supplier over the internet or via the provision of a free consumer access device which connects to the meter, according to day, week, month and year. The minimum requirements for SMETS 1 meters do not include the capability to store 24 months of daily data, but suppliers may choose to upgrade SMETS 1 meters to provide this functionality. If the functionality is not available on the meter, suppliers will have to provide an alternative solution to ensure that they can meet the consumers request for access to 24 months of daily data. The Licence Conditions came into effect on 4 June 2014</p> <p>Licence Conditions governing the rollout of smart metering in their entirety are available at: <a href="https://www.ofgem.gov.uk/licences-codes-and-standards/licences/licence-conditions">https://www.ofgem.gov.uk/licences-codes-and-standards/licences/licence-conditions</a></p>
Articles 9-11 Heat Metering	<p>The Heat Network (Metering and Billing) Regulations 2014 (SI 2014/3120) which were made on 20th November 2014 implement the requirements of Article 9-11 as they apply to heat networks. Regulations are available at <a href="http://www.legislation.gov.uk/ukxi/2014/3120/contents/made">http://www.legislation.gov.uk/ukxi/2014/3120/contents/made</a></p>
Article 12	<p>The UK Government has introduced a range of policies to promote energy efficient behavioural change; in particular, finance and fiscal incentives for energy efficiency measures are readily available for small energy consumers.</p> <p>The domestic Renewable Heat Incentive (RHI), launched in April 2014, is a subsidy scheme to promote the uptake of renewable heat technologies in households. To be eligible for the domestic RHI, all applicants will need to provide evidence that they have identified which energy efficiency measures would be cost-effective for their property and have, at a minimum, installed loft insulation and cavity wall insulation where these measures are suitable and cost-effective.</p> <p>The Enhanced Capital Allowance Scheme is a key part of the Government's programme to manage climate change and reduce energy demand. It provides businesses with enhanced tax relief for investments in equipment that meets published energy-saving criteria.</p> <p>The Landlords' Energy Saving Allowance is a financial incentive which enables landlords to claim tax relief of up to £1,500 per property for the costs of buying and installing energy-saving products.</p> <p>The roll out of smart meters into homes across Great Britain will require installers to visit around 30 million premises by 2020. This presents an ideal opportunity for energy suppliers to engage their customers on energy efficiency. Energy suppliers are required to adhere to an Installation Code of Practice when installing smart meters. This Code compels suppliers to demonstrate the smart metering system (including the in home display) and offer energy efficiency advice, including highlighting sources of further information.</p>
Article 14	<p>The United Kingdom has transposed Articles 14(1) and 14(3) of the Directive into domestic law via Regulation 4 of the Energy Efficiency (Encouragement, Assessment and Information) Regulations 2014 which were laid in Parliament on 5 June 2014.</p>

<sup>6</sup> Smart Metering Installation Code of practice: <http://www.energy-uk.org.uk/publication/finish/37-smart-meter-policies/786-smart-meter-installation-code-of-practice-smicop-january-2013.html>

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	<p>The Comprehensive assessment and cost-benefit analysis has been completed and submitted to the Commission and can be found at:  <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/499417/Final_NCA_Report_for_publication.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/499417/Final_NCA_Report_for_publication.pdf</a></p> <p>Great Britain has transposed Articles 14(10) of the Directive into domestic law via Regulation 5 of the Energy Efficiency (Encouragement, Assessment and Information) Regulations 2014. Regulation 5 applies to England, Wales, and Scotland, and amends the Guarantees of Origin of Electricity Produced from High-efficiency Cogeneration Regulations 2007 (SI 2007/292). Northern Ireland amended its equivalent legislation to transpose Article 14(10).</p> <p>Articles 14(5) to 14(8) were transposed through the Environmental Permitting (England and Wales) (Amendment) Regulations 2015 made on 25 March 2015 and separate legislation in Scotland and Northern Ireland. The legislation is available at  <a href="http://www.legislation.gov.uk/ukdsi/2015/978011126028/contents">http://www.legislation.gov.uk/ukdsi/2015/978011126028/contents</a></p> <p>The United Kingdom transposed Article 14(11) of the Directive by continuing to ensure that the existing cogeneration/CHP benefits (Enhanced Capital Allowances, Business Rates exemption, Climate Change Levy exemption, Carbon Price Support) and any future benefits are subjected to this requirement. These benefits are linked to certification to the CHP Quality Assurance Standard, so the UK considers that this requirement is presently met for existing cogeneration/CHP incentives.</p>
Article 15	<p><b>Article 15(1)</b></p> <p>For electricity, section 3A (1A) of the Electricity Act 1989 requires Ofgem, the GB energy regulator to have due regard to the need to contribute to sustainable development and carry out its functions in the manner which it considers is best calculated to promote the efficient use of electricity conveyed by distribution systems or transmission systems (Section 3A(5) of the Electricity Act 1989).</p> <p>For gas, Ofgem is required by Section 4AA(5) of the Gas Act 1986 to carry out its functions in a manner which it considers is best calculated to promote efficiency and economy in relation to the gas network. Under Section 33BC of the Gas Act 1986, the Secretary of State may order gas transporters and suppliers to comply with energy efficiency targets set by Ofgem.</p> <p>Additionally, Ofgem must have regard to guidance issued by the Secretary of State under Section 3B (4) of the Electricity Act 1989 and under Section 4AB of the Gas Act 1986. This guidance is called the Social and Environmental Guidance to the Gas and Electricity Market Authority and contains an energy efficiency component. Under measures contained in the Energy Act 2013, this Guidance will be replaced with a new Strategy and Policy Statement for Ofgem.</p> <p><b>Article 15(2)</b></p> <p>For GB, the requirements under Article 15(2) have been transposed through secondary legislation under section 2(2) of the European Communities Act 1972, by placing a requirement on Ofgem to ensure an energy efficiency assessment of gas and electricity infrastructure is undertaken by 30 June 2015 and that improvements are identified. Northern Ireland has full competence in this area and has therefore transposed Article 15 and Annexes XI and Annex XII separately to GB because of differences in their energy market structure. The secondary legislation was laid before Parliament on 5 June 2014 and the assessment has been submitted and can be found at  <a href="https://www.ofgem.gov.uk/sites/default/files/docs/2015/06/energy_efficiency_directive_report_-_final_for_publication.pdf">https://www.ofgem.gov.uk/sites/default/files/docs/2015/06/energy_efficiency_directive_report_-_final_for_publication.pdf</a></p> <p>.</p>



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	<p><b>Article 15(3)</b></p> <p>There are no GB schemes and tariff structures with a social aim for net-bound energy transmission and distribution, and hence there is no conflict with this requirement.</p> <p><b>Article 15(4)</b></p> <p>GB was already compliant under this requirement. On the electricity side, transmission and distribution tariffs are required to be cost reflective under Standard Licence Conditions C13 and C5 respectively and designed to drive the overall efficiency of the system. National Grid, in its role as Transmission System Operator is required under the terms of its Transmission Licence Standard Licence Condition C16 not to discriminate against any persons or classes of persons in its procurement or use of balancing services.</p> <p>Furthermore, electricity network operators are incentivised to improve efficiency in infrastructure design and operation through Ofgem's RIIO (Revenue = Incentives + Innovation + Outputs) regulatory price control framework. RIIO is implemented through specific and detailed conditions set out in the network operators' licences.</p> <p>Gas network operators are incentivised under the same framework which is implemented through a number of Standard Special Conditions. The following are a few examples - A5 which details obligations with regards to charging methodology; A11 which sets out the requirements to comply with the Network Code and the Uniform Network Code; A12 with regards to Joint Office governance arrangements for gas distribution networks. On the National Transmission License, Special Condition D3 in in Part C sets out obligations in respect of external incentives, revenue and costs in relation to revenue restriction.</p> <p><b>Article 15(5)</b></p> <p>GB was already compliant with this requirement. On the electricity side, the Transmission System Operator is required to enter into an agreement for an application for use of the system and, once connected, generators of all types – including high-efficiency cogeneration – have a particular level of capacity which the System Operator is required to accept from the user. Where it is not possible to ensure transmission without affecting the reliability or safety of the grid, financial compensation is given to those producers. Otherwise, a generator would always be able to dispatch. The framework for these arrangements is as follows: Section 9 of the Electricity Act 1989 (general duties of licence holders) requires Transmission Licensees to develop, operate and maintain an efficient and economical electricity transmission system. Standard Licence Condition C17 of the Transmission Licence sets out the quality and safety standards that need to be maintained. Standard Licence Condition C16 sets out requirements in relation to procurement and use of balancing services. Standard Licence Condition C3 requires the licensee to have in place a Balancing and Settlement Code (with sections Q, T &amp; U of most relevance).</p> <p>Rules relating to access and dispatch arrangements are set out and published in the Balancing and Settlement Code, as required under Standard Licence Condition C3 of the Transmission Licence (see: <a href="http://www.elxon.co.uk/bsc-related-documents/balancing-settlement-code/consolidated-bsc/">http://www.elxon.co.uk/bsc-related-documents/balancing-settlement-code/consolidated-bsc/</a>)</p> <p>The requirements set out in Annex XII are already prescribed in the standard licence conditions for transmission and distribution system operators.</p> <p>For all micro generation units with a capacity of less than 3.68kW, GB already has an 'install and inform' approach which is required by Engineering Recommendation G83/1.1. This recommendation forms part of the Distribution Code. Distributors have a regulatory requirement through a licence obligation (Standard Licence Condition 21) to comply with the Distribution Code. For larger micro generation projects, GB does not consider an 'install and inform' approach is appropriate as these larger installations have the potential to cause problems for other customers' supply, primarily by affecting voltage. Hence they need to be subject to a co-ordinated connection</p>

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	<p>process.</p> <p><b>Article 15(6)</b></p> <p>For electricity, in its role as Transmission System Operator, National Grid is required under the terms of its Transmission Licence (Standard Licence Condition C16) not to discriminate against any persons or classes of persons in its procurement or use of balancing services. Also in accordance with Condition C16, National Grid publishes a number of statements and reports on the procurement and use of Balancing Services -see <a href="http://www.nationalgrid.com/uk/Electricity/Balancing/transmissionlicencestatemnts/">http://www.nationalgrid.com/uk/Electricity/Balancing/transmissionlicencestatemnts/</a></p> <p><b>Article 15(7)</b></p> <p>GB was already compliant with this requirement. Generators of all types are permitted to build their own connection assets. For transmission connections, this is specified in the Statement of Connection Charging Methodology, which is located at 14.7 of the Connection and Use of System Code.</p> <p>In Distribution, there is competition in the connections market for this work. Customers' ability to seek alternative parties to construct the connection assets is set out within the Common Connection Charging methodology, which distributors have a regulatory requirement to prepare under Standard Licence Condition 14. This methodology also forms part of the Distribution Connection and Use of System Agreement (DCUSA). Distributors have a regulatory requirement to comply with DCUSA under Standard Licence Condition 22.</p> <p><b>Article 15(8)</b></p> <p>For electricity, as part of its statutory duties as set out in Section 3A of the Electricity Act 1989, Ofgem must have regard to the need to contribute to the achievement of sustainable development. Ofgem requires electricity suppliers, under the terms of their Supply Licences (Standard Licence Condition C39), to ensure that a smart metering system is rolled-out. New licence conditions 48 and 49 require suppliers to comply with the Smart Energy Code and set operational requirements for smart metering systems. Also, GB network tariffs enable suppliers to charge their customers different prices for use of the network, incentivising them to avoid peak times. Ofgem will have oversight of the forthcoming Capacity Market which will include a programme to grow the size and capability of GB's Demand Side Response industry. The proposed charging system for the Capacity Market will be based on share of customer market demand on winter weekday evenings, with the intention of incentivising suppliers to reduce their demand through demand response and time-of-use tariffs.</p> <p>In its role as Transmission System Operator, National Grid is required under the terms of its Transmission Licence (Condition C16) as follows: "Having taken into account relevant price and technical differences, the licensee shall not discriminate as between any persons or classes of persons in its procurement or use of balancing services". National Grid actively encourages demand side providers – including aggregators – to participate in the standard market tender process used to procure balancing and ancillary services. There is no concept of dispatch at the distribution level – if the generator has a buyer for its output, it runs. Hence this requirement is not relevant to distribution system operators in GB.</p> <p>National Grid actively encourages the involvement of demand-side resources in balancing, reserve and other system services. In accordance with Condition C16, National Grid publishes details of its procurement procedures and technical requirements for participation in this market in its Balancing Services Contract Information Pack (see: <a href="http://www.nationalgrid.com/uk/Electricity/Balancing/services/balanceserv/intro/">http://www.nationalgrid.com/uk/Electricity/Balancing/services/balanceserv/intro/</a>). The technical requirements for participants in the Short Term Operating Reserve (STOR) market can also be found in the standard STOR framework agreement and the STOR aggregator framework</p>

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	<p>agreement (see: <a href="http://www.nationalgrid.com/NR/ronlyres/D9E17ADD-9E28-437F-8E31-188404D251C9/60298/Short_Term_Operating_Reserve_Framework_Agreement_2013.pdf">http://www.nationalgrid.com/NR/ronlyres/D9E17ADD-9E28-437F-8E31-188404D251C9/60298/Short_Term_Operating_Reserve_Framework_Agreement_2013.pdf</a>)</p>
Article 16	<p>The UK has a range of trusted qualification, accreditation and certification schemes in place; and these are widely and publicly available, and transparent to consumers. The UK Government considers that these existing legal arrangements already delivered the requirements of Article 16 and that no further action was required to transpose Article 16.</p> <p><u>Energy Service Providers</u></p> <p>Underpinned by the 2011 Energy Act, the Green Deal went live in Great Britain in January 2013. The Green Deal is intended to encourage consumers in household and commercial sectors to undertake energy assessments. It offers energy efficiency assessments, financing and the installation of energy efficiency measures through a network of approved assessors, installers and providers. Strict qualification and accreditation requirements have been developed for Green Deal providers.</p> <ul style="list-style-type: none"> <li>• Asset Skills, the appropriate Sector Skills Council, developed a suite of National Occupational Standards (NOS) for Green Deal Advisors (GDAs)<sup>1</sup>, building on existing Energy Assessor NOS and qualifications.</li> <li>• A syllabus was developed by Asset Skills that provides detail on the expectations of all GDAs<sup>2</sup>.</li> <li>• The United Kingdom Accreditation Service (UKAS) oversees the certification framework for GDAs. All providers of Green Deal Advice Services must be certified by an approved, independent Certification Body against the scheme standards<sup>3</sup> and adhere to a strict, legally-binding code of practice.</li> <li>• The Green Deal Oversight and Registration Body (ORB) is responsible for maintaining a register of all authorised Green Deal Assessors, Certification Bodies, Installers, and Providers; maintaining the Green Deal Code of Practice and controlling the use of the Green Deal Quality Mark; monitoring Green Deal Participants compliance with the Code of Practice; and gathering evidence of non-compliance and referring participants to the Ombudsman or the Secretary of State for further action, which can include sanctions.</li> </ul> <p>Energy Performance Certificates (EPCs) operate across the UK<sup>4</sup> and are produced by accredited energy assessors using standardised methods and assumptions about energy usage. An EPC is mandatory for all properties when they are built, sold or rented. Display Energy Certificates (DECs) apply in England, Wales, and Northern Ireland to public buildings with a total useful floor area in excess of 500m<sup>2</sup>.<sup>5</sup> The skills and knowledge required to carry out an energy assessment (EPC or DEC) are outlined in the NOS for Energy Assessors, available from Asset Skills.<sup>6</sup> Energy assessors must be registered with a Government approved Accreditation Scheme operator before they can commence working as an energy assessor and separate training is available for conducting assessments of dwellings, non-dwellings, public buildings and air conditioning systems. The Accreditation Schemes cover all aspects of EPCs, DECs for buildings occupied by public authorities, and air conditioning inspection reports.</p> <p><u>Energy Auditors</u></p> <p>In addition to the qualification routes for GDAs, EPCs and DECs, the market in the UK provides a wide range of training and qualification opportunities for energy auditors, including post-graduate level qualifications in energy and environmental management. Established bodies such as the Institute for Energy Management (IEMA) and the Energy Institute also peer-review registers of energy auditors.</p> <p>As part of the UK Government's implementation of Article 8(4)-8(6) of Directive 2012/27/EU on energy efficiency, the UK Government commissioned the UK's national standards body (BSI) to</p>



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	<p>develop PAS 51215, working with industry. PAS 51215 established the level of competence for lead energy efficiency auditors who are deemed qualified to conduct energy efficiency audits under the UK scheme – the Energy Saving Opportunities Scheme. The PAS will be published in June 2014 and the UK Government expects a range of professional bodies in the UK, which currently issue qualifications for professional auditors, to have their existing qualifications assessed against this standard.</p> <p><u>Energy Managers</u></p> <p>The UK has a well-established framework for energy managers. The Energy Institute offers a variety of training schemes and education packages – including a Certificate in Energy Management Essentials and a Chartered Energy Manager Qualification - while members of IEMA are required to sign a professional code of conduct.</p> <p><u>Installers of energy-related building elements</u></p> <p>The installation of new building elements must meet the standards set out in Building Regulations and building work undertaken must be checked by either the Local Authority Building Control or a private Approved Inspector. Approved Inspectors must be an installer registered with a Competent Persons Scheme.</p> <p>Green Deal installers are certified through authorised Certification Bodies for the different Green Deal measures they wish to install, and registered with the ORB. Green Deal Installers must:</p> <ul style="list-style-type: none"> <li>• Be certified by a Green Deal accredited Certification Body as meeting the standard (PAS 2030) for the measures they wish to install.</li> <li>• Comply with the conditions in the Green Deal Code of Practice.</li> <li>• Keep clear records of work done and allow monitoring of installation work when requested.</li> </ul> <p>In addition, air conditioning systems with an effective rated output of more than 12kW must undergo a regular inspection at intervals not exceeding five years. These inspections will include systems comprising individual units which are less than 12kW but which are sited within the envelope of a single building and whose combined effective rated output is more than 12kW. Air Conditioning Inspection Reports (ACIRs) are produced by accredited air conditioning energy assessors.</p> <p><u>The Devolved Administrations</u></p> <p>In most cases, the above schemes apply to the whole of the United Kingdom (or Great Britain in the case of the Green Deal). In particular, the Devolved Administrations have a shared interest with regard to NOS, as these are funded and developed across all four nations.</p>
Article 17	<p>The UK has transposed Articles 17(1) and 17(4) via regulation 7 of the Energy Efficiency (Encouragement, Assessment and Information) Regulations 2014. Article 17(2) had already been transposed through pre-existing legal requirements.</p> <p>Information on all UK Government and Devolved Administration policies is freely available on the GOV.uk website. In addition, the Government supports a number of dedicated webpages that host information and guidance about: the UK Green Investment Bank, the CRC Energy Efficiency Scheme, Climate Change Agreements, Enhanced Capital Allowances, the Green Deal, the Energy Company Obligation, the Renewable Heat Incentive, Smart Meters and Building Regulations.</p> <p>The provision of information to financial institutions is also facilitated by the Green Investment Bank, which seeks to invest in partnership with private sector banks, and the Green Deal Finance Company, an industry-led consortium with over 50 private and public sector members.</p> <p>The UK operates a free market for energy efficiency services with appropriate conditions for market</p>

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	<p>operators to provide adequate and targeted energy efficiency information and advice to energy consumers.</p> <p>The Government has introduced a number of policies which encourage and facilitate the provision of energy efficiency information and advice. In particular:</p> <ul style="list-style-type: none"> <li>• The smart meter Installation Code of Practice requires that energy suppliers provide energy efficiency information and advice to consumers when installing smart meters.</li> <li>• Additionally, the Energy Saving Advice Service and the Home Energy Scotland Advice Centres provide households with access to impartial, free advice on energy efficiency measures.</li> <li>• Applicants for the domestic Renewable Heat Incentive, launched in April 2014, will need to provide evidence that they have identified, through a Green Deal assessment, which energy efficiency measures would be cost-effective for their property.</li> <li>• The Energy Performance of Buildings regime and the requirement for EPCs and DEC's facilitate the establishment of information and advice to consumers.</li> <li>• The Energy Savings Opportunity Scheme, introduced to meet the requirements of Article 8(4)-8(6) of the Directive, will ensure that large enterprises undergo a detailed audit of their energy use and obtain recommendations for cost-effective energy efficiency improvements.</li> </ul>
Article 18	<p>The UK has transposed Articles 18(1), 18(2)(a) and 18(2)(b) via the Energy Efficiency (Encouragement, Assessment and Information) Regulations 2014 (a copy of the regulations is attached). Article 18(2)(c) and 18(3) have been transposed in the UK through pre-existing legal requirements. Article 18(2)(d) did not require transposition as there is no restriction on market intermediaries promoting energy performance contracts and services</p> <p>The GOV.uk website hosts information and links, including:</p> <ul style="list-style-type: none"> <li>• a 'model' energy performance contract and contract guidance note;</li> <li>• a best practices guide, which will detail clauses that should be included in contracts to guarantee savings and final customers' rights;</li> <li>• an updated "Guide to financing energy efficiency in the public sector" and a new "Guide to financing energy efficiency in the private sector";</li> <li>• details of available energy services contracts, which will be included in the Energy Services Markets Review; and a qualitative review of the current and future development of the energy services market as part of the National Energy Efficiency Action Plan (NEEAP).</li> <li>• links to existing, publicly available registers of energy service providers with appropriate certifications and qualifications.</li> </ul> <p>The Government has carried out extensive analysis into the barriers to energy efficiency, including a review of the regulatory barriers, and published its findings in the 2012 Energy Efficiency Strategy. This did not identify any specific barriers to the take up of energy performance contracting and other energy efficiency service models. However, several concerns were identified. These include: a lack of contract standardisation; few ways to benchmark new contracts to assess value for money and few common standards for calculating the savings that the ESCO had delivered. These concerns have been addressed by the development of a model contract with accompanying guidance and best practices guidance, in order to fulfil the requirements of Article 18(1).</p> <p>Where a complaint or dispute occurs in the energy services market, parties to the dispute have recourse to existing arbitration services and independent regulators, including the Competition and Markets Authority, Office of Gas and Electricity Markets (Ofgem) and the Energy Ombudsman. Contractual disputes can also be referred to mediation through the Centre for Effective Dispute Resolution, an independent charity which provides mediation services. Finally, pre-existing legal</p>

EED Article	Implementation status
	<p>requirements, for example the Practice Direction on Pre-action Conduct, encourage parties to use alternative dispute resolution procedures as an alternative to litigation.</p> <p>Section 2 of the Competition Act 1998 prohibits agreements which preclude, restrict or distort competition. Section 18 of the Competition Act 1998 prohibits conduct which amounts to the abuse of a dominant position in the ma</p>
Article 20	<p>The requirements of Article 20(1) were transposed in the UK via pre-existing measures further details of which are provided below.</p> <p>The UK Government has established a number of financing facilities for energy efficiency improvement measures.</p> <p>These include the following financing facilities and mechanisms that stimulate investment in energy efficiency in the public sector:</p> <ul style="list-style-type: none"> <li>• Salix Finance Ltd provides interest free loans to the public sector for the installation of energy efficiency measures. The scheme received additional funding of £18 million in 2012/2013.</li> <li>• RE:FIT delivers energy efficiency improvements to the public sector estate, through a simplified procurement framework under which public sector organisations are able to procure energy conservation measures installed by energy service companies. Together with Local Partnerships, the Government is jointly funding the initial England-wide rollout of RE:FIT to the public sector.</li> </ul> <p>In the household sector, existing financing facilities and mechanisms include:</p> <ul style="list-style-type: none"> <li>• The Green Deal, pursuant to which the Green Deal Finance Company and Green Deal Providers offer finance to customers for the installation of energy efficiency improvements in their homes. Green Deal Plans attach to the electricity meter rather than the occupant and repayments under a Green Deal Plan must be no greater than the energy bill savings which are estimated to result from the energy efficiency improvements that have been installed.</li> <li>• The Energy Company Obligation, the UK's most recent supplier obligation. This works alongside the Green Deal, driving the uptake of measures that could not be fully financed under a Green Deal Plan.</li> <li>• The domestic Renewable Heat Incentive, which provides subsidies for the uptake of renewable heating technologies. Applicants for this scheme must comply with minimum energy efficiency requirements.</li> <li>• The Landlords Energy Saving Allowance, which enables landlords to claim tax relief of up to £1,500 per property for the costs of buying and installing energy-saving products.</li> </ul> <p>In the commercial sector financing facilities and mechanisms include:</p> <ul style="list-style-type: none"> <li>• The Green Investment Bank, set up by the Government in October 2012, has energy efficiency as one of its key investment priorities.</li> <li>• Climate Change Agreements provide energy-intensive industries with tax discounts in return for meeting energy efficiency targets. CCAs cover over 9,000 facilities.</li> <li>• The Enhanced Capital Allowances Scheme provides businesses with enhanced tax relief for investments in equipment that meets published energy-saving criteria.</li> <li>• In 2014 the Government piloted a £20 million Electricity Demand Reduction project. EDR aims to incentivise businesses and other organisations to install measures that deliver verifiable reductions in demand by offering a financial incentive for them to do so.</li> </ul>

EED Article	Implementation status
Article 24	<p>The United Kingdom has transposed Article 24 of the Directive into UK law via The Energy Efficiency (Building Renovation and Reporting) Regulations 2014. These Regulations came into force on 30 April 2014.</p> <p>The Energy Efficiency (Building Renovation and Reporting) Regulations 2014 place an obligation on the Secretary of State for Energy and Climate Change to fulfil the reporting requirements of Article 24(1), (2) and (6) in accordance with Annexes I, II and XIV.</p> <p>The United Kingdom's National Energy Efficiency Action Plan was published and submitted to the Commission by 30 April 2014. The 2014 NEEAP is publicly available at <a href="https://www.gov.uk/government/publications/the-uks-national-energy-efficiency-action-plan-and-building-renovation-strategy">https://www.gov.uk/government/publications/the-uks-national-energy-efficiency-action-plan-and-building-renovation-strategy</a></p> <p>This NEEAP will be updated every three years, by no later than 30 April, in accordance with the Directive's requirements.</p>

## 2.2. Non-legislative provisions

The UK has not adopted national co-operation mechanisms.

## 3. Future activities

Future changes will be considered in the context of the review of the Directive that is currently underway.

## 4. Relevant information

Details of all UK energy efficiency policy and programmes can be found at <https://www.gov.uk/government/policies?organisations%5B%5D=department-of-energy-climate-change>