



Wales Act 2017

2017 CHAPTER 4

PART 2

LEGISLATIVE AND EXECUTIVE COMPETENCE: FURTHER PROVISION

Miscellaneous

54 Transfer of functions in relation to excepted energy buildings

- (1) The functions conferred or imposed on the Secretary of State by or under the Building Act 1984, so far as exercisable in relation to excepted energy buildings in Wales, are transferred to the Welsh Ministers.
- (2) But subsection (1) does not operate to transfer any functions that are reserved by the following provisions of the 2009 TFO—
 - (a) Article 3(b) (functions exercisable by Secretary of State as a Crown authority);
 - (b) Article 3(c) (powers of commencement etc);
 - (c) Article 4 (energy performance requirements and energy assessors for existing buildings).
- (3) The following provisions of the Government of Wales Act 2006 apply in relation to the transfer of functions under subsection (1) as they apply in relation to a transfer of functions by an Order in Council made under section 58 of that Act—
 - (a) Part 2 of Schedule 3 (exercise of functions transferred under section 58);
 - (b) paragraph 1 of Schedule 4 (general transfer of property, rights and liabilities).
- (4) In this section—
 - “excepted energy building” has the meaning given in the Schedule to the 2009 TFO;
 - “the 2009 TFO” means the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009 ([S.I. 2009/3019](#)).