

**2024 No. 640**

**BUILDING AND BUILDINGS, ENGLAND AND WALES**

**The Energy Performance of Buildings (England and Wales)  
(Amendment) Regulations 2024**

<i>Made</i>	- - - -	<i>14th May 2024</i>
<i>Laid before Parliament</i>		<i>15th May 2024</i>
<i>Coming into force</i>		<i>24th June 2024</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by section 250(1), (3), (4) and (5) of the Energy Act 2023(a).

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Energy Performance of Buildings (England and Wales) (Amendment) Regulations 2024.

(2) These Regulations come into force on 24th June 2024.

(3) These Regulations extend to England and Wales.

**Amendment of the Energy Performance of Buildings (England and Wales) Regulations 2012**

2. The Energy Performance of Building (England and Wales) Regulations 2012(b) are amended in accordance with the following regulations.

**Amendment of regulation 29**

3. For paragraph (1) of regulation 29 (disclosure of data: general) substitute—

“(1) A person must not disclose data collected under these regulations to any other person unless the disclosure is in accordance with regulation 29A, 30, 30A or 32.”.

**Insertion of regulation 29A**

4. After regulation 29 insert—

**“Disclosure of assessment data**

**29A**—(1) The keeper of the register, an accreditation scheme or an energy assessor may disclose assessment data—

(a) in relation to a particular building, to—

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(a) 2023 c. 52. The Secretary of State is the “appropriate authority” in relation to England and Wales. See the definition of “appropriate authority” at section 250(5).

(b) S.I. 2012/3118. Relevant amendments were made by S.I. 2016/284 and S.I. 2016/888.

- (i) the owner, landlord or occupier of that building; or
  - (ii) a third party with the consent of a person listed in (i);
  - (b) in relation to an air-conditioning system to which Part 4 applies, to the relevant person.
- (2) In this regulation “assessment data” means any data held that was collected during an energy assessment, whether or not that data has been entered onto a register but does not include—
- (a) green deal information; or
  - (b) the name of an individual.
- (3) “Energy assessment” has the meaning given in regulation 26.
- (4) This regulation does not apply in relation to excluded buildings.”.

### **Amendment of regulation 30A**

5. In regulation 30A (publication of bulk access data on a website) for paragraphs (1) and (2) substitute—

“(1) Subject to paragraph (2), the keeper of the register may publish on a website bulk access data relating to any building appearing on the register.

(2) Under this regulation the keeper of the register may not publish the name of an individual or any data in relation to which an opt-out is in effect in accordance with regulation 30(3).”.

### **Revocation of schedule B1**

6. Schedule B1 is revoked.

14th May 2024

*Swinburne*  
Parliamentary Under Secretary of State  
Department for Levelling Up, Housing and Communities

### **EXPLANATORY NOTE**

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

These Regulations amend the Energy Performance of Building Regulations 2012 (“the Principal Regulations”) in relation to data sharing.

Regulation 4 inserts new regulation 29A into the Principal Regulations which enables the keeper of the register (the Secretary of State), accreditation schemes and energy assessors to share data on the energy performance of a particular building with the owner, landlord or occupier of that building. Data on certain air conditioning systems will also be sharable with anyone who has control of that system. In consequence of regulation 4, regulation 3 amends regulation 29 of the Principal Regulations to provide that data sharing under new regulation 29A is not an offence.

Regulations 5 and 6 amend the Principal Regulations to remove an existing restriction on the types of energy performance-related data that the keeper of the register can publish on a website. Individual building owners or occupiers will still be able to request that data on their building is not published.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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