

# Energy Bill [HL]

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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**After Clause 198**

LORD FOSTER OF BATH

After Clause 198, insert the following new Clause –

**“Energy performance regulations relating to existing premises**

- (1) Within six months of the passing of this Act the Secretary of State must by regulations made by statutory instrument require the Secretary of State to ensure that subject to subsection (2) –
  - (a) all domestic premises occupied by persons living in fuel poverty achieve at least EPC band C by 2030; and
  - (b) all other domestic properties achieve at least EPC Band C by 2035 where practical, cost-effective and affordable.
- (2) The duty imposed by regulations made pursuant to subsection (1) does not apply to a domestic property where the following exemptions apply –
  - (a) an occupant or anyone else whose permission is needed for works needed be carried out has explicitly refused such permission; or
  - (b) it is not technically feasible to fulfil the duty; or
  - (c) the cost of carrying out works to fulfil the duty would exceed £20,000; or
  - (d) an earlier date is specified by section (Privately rented properties) in which case such earlier date applies.
- (3) The Secretary of State may by regulations made by statutory instrument add to or change the exemptions referred to in subsection (2).
- (4) The Secretary of State may by regulations made by statutory instrument define the terms “practical”, “cost-effective” and “affordable”.

***Member's explanatory statement***

*This new clause requires the Secretary of State to ensure that all fuel poor households to achieve EPC band C by 2030 and all other households by 2035 (with specified exemptions).*

## LORD FOSTER OF BATH

After Clause 198, insert the following new Clause –

**“Privately Rented Properties**

- (1) Within six months of the passing of this Act the Secretary of State must amend the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (S.I. 2015/962) to require that, subject to subsection (2) –
  - (a) all new tenancies must have an energy efficiency performance of at least EPC Band C from 31 December 2025; and
  - (b) all existing tenancies must be at least EPC Band C from 31 December 2028 where practical, cost-effective and affordable as defined by the Secretary of State.
- (2) A landlord is exempt from the duty in subsection (1) to bring a property up to EPC Band C if they meet the criteria for an affordability exemption, as may be specified in regulations made by the Secretary of State.
- (3) The Secretary of State may, by notice in writing, direct a landlord to comply with this section.”

***Member's explanatory statement***

*This new clause requires the Secretary of State to amend the existing regulations relating to privately rented properties so as to require all new tenancies to be EPC C by 31st December 2025 and existing tenancies to be EPC band by 31st December 2028.*

## LORD FOSTER OF BATH

After Clause 198, insert the following new Clause –

**“Mortgage Lenders**

- (1) Within six months of the passing of this Act the Secretary of State must by regulations made by statutory instrument require all mortgage lenders to ensure that by 31 December 2030 the average energy performance level of their domestic portfolios is at least EPC Band C.
- (2) The Secretary of State may by regulations made by statutory instrument require mortgage lenders to provide the Secretary of State with information regarding the energy performance of properties in their portfolio.”

***Member's explanatory statement***

*This new clause requires the Secretary of State to make regulations requiring all mortgage lenders to ensure by the end of December 2030 that the average energy performance of their portfolios is at least EPC band C.*

## LORD FOSTER OF BATH

After Clause 198, insert the following new Clause –

**“Social Housing**

- (1) Within six months of the passing of this Act the Secretary of State must by regulations made by statutory instrument require all social landlords to ensure that a significant proportion of their residential properties are at least EPC Band C by 2030.
- (2) The regulations may specify what a “significant amount” is, and that different amounts may apply to different social landlords; and
- (3) In this section “social landlord” means a local authority or a registered social landlord.”

***Member's explanatory statement***

*This new clause requires the Secretary of State to make regulations requiring all social landlords to ensure that a significant proportion of their residential properties has an energy performance of at least EPC band C by 2030. It also enables to Secretary of State to define what is a 'significant proportion'.*

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*25 August 2022*

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