

# Energy Bill [HL]

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## AMENDMENTS

### TO BE MOVED

#### IN COMMITTEE OF THE WHOLE HOUSE

*[Supplementary to the Second Marshalled List]*

#### 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 make regulations requiring the Secretary of State to ensure that subject to subsections (2) and (3) all domestic properties achieve at least EPC Band C by 2035 where practical, cost-effective and affordable.
- (2) The duty imposed by regulations under subsection (1) does not apply to a domestic property where any of 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,
  - (b) it is not technically feasible to fulfil the duty,
  - (c) the cost of carrying out works to fulfil the duty would exceed £20,000, or
  - (d) an earlier date is specified by any other section of this Act, in which case such earlier date applies.
- (3) The Secretary of State may by regulations add to or change the exemptions in subsection (2).
- (4) The Secretary of State may by regulations define the terms “practical”, “cost-effective” and “affordable”.

***Member's explanatory statement***

*This Clause requires the Secretary of State to ensure that all households achieve an energy performance certificate band C by 2035 (with specified exemptions), in accordance with numerous government commitments.*

## 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 make regulations –
  - (a) amending the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (S.I. 2015/962) to require that, subject to subsection (2), all tenancies have an energy performance certificate (EPC) of at least Band C by 31 December 2028,
  - (b) requiring all social landlords to ensure that –
    - (i) a significant proportion of their tenancies have at least an EPC Band C by 2030, and
    - (ii) all their tenancies have at least an EPC Band C by 2035, subject to subsection (2),
  - (c) requiring the Secretary of State to ensure, subject to subsection (2), that all fuel poor households have an EPC of at least Band C by 31 December 2030, and
  - (d) requiring that, subject to subsection (2), all rented non-domestic premises have an EPC of at least Band B by 31 November 2030.
- (2) Exemptions to subsection (1) apply where –
  - (a) the occupier of any premises whose permission is needed to carry out works refuses to give such permission;
  - (b) it is not technically feasible to improve the energy performance of the premises to the level of EPC Band C;
  - (c) in the case of subsection (1)(a), (b) and (d), the cost of improving the energy performance of the premises to the level of EPC Band C would meet an affordability exemption to be specified by the Secretary of State;
  - (d) in the case of subsection (1)(c) the cost of improving the energy performance of the premises to the level of EPC Band C would exceed £20,000, in which case the premises must have their energy performance improved to the level of an EPC Band which that cost would achieve.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to make regulations relating to energy performance in existing premises.*



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*26 September 2022*

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