

Subsidiary Legislation made under s. 18(c).

**ENVIRONMENT (ENERGY EFFICIENCY)
REGULATIONS 2013**

Repealed by LN. 2014/090 as from 5.6.2014

(LN. 2013/197)

Commencement **19.12.2013**

Amending
enactments

Relevant current
provisions

Commencement
date

Transposing:

Directive 2004/8/EC
Directive 2006/32/EC
Directive 2009/125/EC
Directive 2010/30/EU
Directive 2012/27/EU

EU Legislation/International Agreements involved:

ARRANGEMENT OF REGULATIONS.

Regulation

1. Title and commencement.
2. Interpretation.
3. Exemplary role of government buildings.
4. Inventory of government buildings.
5. Energy efficiency of public bodies.

In exercise of the powers conferred upon it by section 18(c) of the Environment Act 2005, and in order to transpose, in part, into the law of Gibraltar Directive 2012/27/EU of the European Parliament and of the

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Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Environment (Energy Efficiency) Regulations 2013 and come into operation on the day of publication.

Interpretation.

2.(1) In these Regulations—

“minimum energy performance requirement” means the minimum energy performance requirement set by the competent authority for a building in application of regulation 5 of the Environment (Energy Performance of Buildings) Regulations 2012.

Exemplary role of government buildings.

3.(1) Without prejudice to regulation 8 of the Environment (Energy Performance of Buildings) Regulations 2012, the Government must ensure that as from 1 January 2014, 3% of the total floor area of heated or cooled buildings owned and occupied by it is renovated each year to meet at least the minimum energy performance requirements.

(2) The 3% rate in subsection (1) is calculated on the total floor area of buildings owned and occupied by the Government that—

- (a) exceed the total useful floor area; and
- (b) on 1 January each year, do not meet the minimum energy performance requirement.

(3) The total useful floor area is—

- (a) 500m² where the 3% rate is calculated before 9 June 2015; and
- (b) 250m² where the 3% rate is calculated after 9 June 2015.

(4) When complying with the requirements of subsection (1), the Government may consider a building as a whole, including the building envelope, equipment, operation and maintenance.

(5) Where in a given year, the Government renovates more than the 3% rate required by subsection (1), the excess renovation may be counted

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towards the renovation requirements of any of the 3 years immediately preceding or following that year.

(6) The Government may count towards the renovation requirements of a given year new buildings occupied and owned as replacements for specific government buildings demolished in any of the 2 preceding years, or buildings that have been sold, demolished or taken out of use in any of the 2 preceding years due to more intensive use of other buildings.

(7) Where cost effective and technically feasible, energy efficiency measures must be prioritized for government buildings with the poorest energy performance.

(8) The requirements of this section do not apply to—

- (a) buildings officially protected as part of a designated environment, or because of their special architectural or historical merit, in so far as compliance with a minimum energy performance requirements would unacceptably alter their character or appearance;
- (b) buildings owned by armed forces or the Government and serving defence purposes, apart from single living quarters or office buildings for armed forces and other staff employed by defence authorities; or
- (c) buildings used as places of worship and for religious activities.

Inventory of government buildings.

4.(1) By 31 December 2013, the Government must establish and make publicly available an inventory of heated or cooled government buildings with the total useful floor area prescribed in regulation 3(3).

(2) Buildings prescribed in regulation 3(8) will be exempted from the inventory.

(3) The inventory must contain the following information—

- (a) the floor area in m²; and
- (b) the energy performance of each building or relevant energy data.

Energy efficiency of public bodies.

5. The Government must encourage public bodies and social housing bodies governed by public law to—

2005-27

**Repealed
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Environment

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- (a) adopt an energy efficiency plan, freestanding or as part of a broader climate or environmental plan, containing specific energy saving and efficiency objectives and actions, with a view to following the exemplary role of government buildings laid down in regulations 3 and 4;
- (b) put in place an energy management system as part of its energy efficiency plan, including energy audits; and
- (c) use, where appropriate, energy service companies, and energy performance contracting to finance renovations and implement plans to maintain or improve energy efficiency in the long term.