



AN BILLE UM CHAOMHNÚ FUINNIMH, 1998
ENERGY CONSERVATION BILL, 1998

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Short title.
 2. Definitions.
 3. Local energy conservation plans.
 4. Functions of the Minister.
 5. Development of national plan.
 6. Provision for hardship.
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Acts Referred to

Data Protection Act, 1988

1988, No. 25

Local Government Acts, 1925 to 1994



AN BILLE UM CHAOMHNÚ FUINNIMH, 1998
ENERGY CONSERVATION BILL, 1998

BILL

entitled

5 AN ACT TO MAXIMISE THE PRACTICE OF ENERGY CONSERVATION.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—This Act may be cited as the Energy Conservation Act, 1998. Short title.

2.—In this Act— Definitions.

10 “energy conservation” means the saving or using of less energy; and

“energy conservation authority” is a designated local authority as defined under the Local Government Acts, 1925 to 1994.

3.—(1) It shall be the duty of every energy conservation authority as regards premises in its area— Local energy conservation plans.

15 (a) to carry out an investigation with a view to deciding what measures are, in its opinion, desirable and practicable, to achieve greater energy conservation as regards the heating and lighting of such premises;

20 (b) to decide what arrangements are in the opinion of the authority needed for that purpose;

(c) to prepare a statement (“the plan”) of the arrangements needed and made, or proposed to be made, by the authority and other persons in order to achieve greater energy conservation in such premises;

25 (d) to carry out from time to time further investigations with a view to deciding what changes in the plan are needed;

(e) to make any modifications of the plan which the authority thinks is appropriate in consequence of any further investigations.

- (2) It shall be the duty of the authority to include in the plan—
- (a) information showing which measures are needed to achieve estimated energy savings of—
 - (i) 10 per cent, and
 - (ii) 20 per cent, and 5
 - (iii) 30 per cent;
 - (b) an assessment of the cost of such measures;
 - (c) an assessment of the average savings in fuel bills and kilowatt hours of fuel used that might be expected by different sizes of premises in different types of usages; 10
 - (d) an assessment of the extent of decreases in emission of carbon dioxide resulting from such measures;
 - (e) an assessment of the extent of decreases in the emission of oxides of nitrogen and sulphur dioxide resulting from such measures; 15
 - (f) an assessment of the number of jobs that would result from the implementation of such measures.
- (3) It shall be the duty of the authority to specifically include in the plan details of the items listed in *subsection (2)* as regards premises in the ownership of the authority. 20
- (4) It shall be the duty of the authority:
- (a) in preparing the plan and any modifications thereto, to consult—
 - (i) such persons as the authority considers appropriate from among persons who in the opinion of the authority are or are likely to be, or are representative of persons who are, or are likely to be, engaged by way of trade or business in energy conservation as regards premises in its area, 25
 - (ii) representatives of the authority's own tenants, 30
 - (iii) representatives of organisations concerned with the protection of the environment that are functioning in its area, and
 - (iv) such persons as directed by the Minister for Public Enterprise, or his or her equivalent; 35

and
 - (b) before finally determining the content of any plan or modification to take, subject to *subsection (5)*, such steps as, in the opinion of the authority, will—
 - (i) give adequate publicity in its area to the plan or modification, and 40
 - (ii) provide members of the public with opportunities of making representations to the authority about it, and

(iii) to consider any representations made by the public and make any change in the plan or modification which the authority thinks appropriate.

5 (5) No steps need be taken under *subsection (4)* in respect of a modification which, in the opinion of the authority, is of a minor nature.

10 **4.—(1)** It shall be the duty of the Minister for Public Enterprise, or his or her equivalent, (“the Minister”) to draw up within two years of the coming into force of this Act, and in consultation with national energy agencies, a national energy conservation plan (“the national plan”) which will show what measures are in his or her opinion necessary in order to achieve specified energy conservation targets (“the targets”).

Functions of the Minister.

15 (2) It shall be the duty of every energy conservation authority to send a copy of the plan, once completed, to the Minister.

(3) The Minister shall set a date by which all such plans shall be sent to him or her.

20 (4) Upon receipt of all such plans, the Minister may, if he or she considers it appropriate, publish a timetable to facilitate the implementation of all or part of such plans.

(5) A timetable published by the Minister pursuant to *subsection (4)*—

25 (a) may include a timetable to facilitate the achievement of energy savings of the various amounts referred to in *section 3(2)(a)*; and

(b) may include more than one timetable and different timetables may deal with different amounts of energy savings.

30 (6) The Minister may make regulations in order to secure the proper implementation of any plan under this section but any such regulations may be subject to annulment pursuant to a resolution of either House of the Oireachtas.

5.—(1) The Minister—

Development of national plan.

35 (a) shall, as soon as practicable after the completion of the national plan, report thereon to each House of the Oireachtas, and

(b) may, having considered—

(i) views expressed during the course of any subsequent debate in either House of the Oireachtas, and

40 (ii) the effects of the targets of the local plans drawn up pursuant to *section 3*,

take such steps as he or she is authorised to do and which are, in his or her opinion, desirable to facilitate the achievement of the targets.

45 (2) The Minister shall thereafter report annually to the Oireachtas on measures taken to achieve the targets and such report shall

include levels of energy savings expected as a result of such measures.

(3) At least once every three years the Minister shall conduct a full review of the national plan—

(a) and shall report on the results of such review to each House of the Oireachtas, and 5

(b) may, having considered—

(i) views expressed during the course of any subsequent debate in either House of the Oireachtas,

(ii) the effects of the targets of the local plans drawn up pursuant to *section 3*, and 10

(iii) any other factors which he considers to be relevant,

amend, as he or she sees fit, the national plan and any steps he or she is taking or proposing to take in accordance with *subsection (1)* to facilitate the achievement of the targets. 15

Provision for hardship.

6.—The Minister may, after consultation with a designated regulator, by order require each public gas supplier and each public electricity supplier to supply relevant information to an energy conservation authority concerning those of its customers which in the suppliers' opinion are suffering from the greatest financial hardship to enable the authority to prioritise premises occupied by them for works to be carried out in accordance with a plan under this Act provided that all information shall conform with the provisions of the Data Protection Act, 1988. 20 25