



ENERGY EFFICIENCY SCHEME 2018

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Statutory Document No. 2018/0174



Financial Provisions and Currency Act 2011

ENERGY EFFICIENCY SCHEME 2018

Approved by Tynwald: 18 July 2018

Coming into Operation: 23 July 2018

The Department of Environment, Food and Agriculture, with the concurrence of the Treasury, makes the following Scheme under section 3(2)(b) of the Financial Provisions and Currency Act 2011¹.

PART 1 - INTRODUCTION

1 Title

This Scheme is the Energy Efficiency Scheme 2018.

2 Commencement

If approved by Tynwald² this Scheme comes into operation on 23 July 2018.

3 Interpretation

(1) In this Scheme —

“**authorised**” means authorised by the Department;

“**authorised works**” means permitted works that are authorised;

“**building regulations**” means the Building Regulations 2014³, and any Manx legislation from time to time amending or replacing those Regulations;

“**the Department**” means the Department of Environment, Food and Agriculture;

“**eligible applicant**” means a person who is eligible to apply for a grant under this Scheme by virtue of paragraph 5;

“**eligible premises**” has the meaning given in paragraph 6;

¹ AT 21 of 2011

² Tynwald approval is required under s. 3(7) of the Financial Provisions and Currency Act 2011.

³ SD 2014/0165

“**energy efficiency**” means the amount of energy estimated to meet the needs associated with a standardised use of a building, an increase in efficiency being marked by a reduction in the amount of energy required;

“**energy efficiency survey**” means a series of works the components of which are set out in Part 1 of the Schedule;

“**energy efficiency improvement work**” means one or more of the works set out in Part 2 of the Schedule;

“**flat**” means a separate set of domestic premises, whether or not on the same floor—

(a) forming part of a building; and

(b) either the whole or a material part of which lies above or below some other part of the building;

“**landlord**” has the meaning given in section 3 of the Landlord and Tenant Act 1954;

“**partner**” means a person living with the applicant for a grant under this Scheme as if the person were the applicant’s spouse or civil partner;

“**permitted work**” means any of the works set out in the Schedule, excluding decoration and works of ordinary repair;

“**relevant interest**” has the meaning given in paragraph 7(2);

“**residential premises**” means any building used wholly or mainly as a domestic dwelling other than a flat; and

“**suitable contractor**” means a contractor of energy efficiency improvement work.

- (2) In calculating the amount of grant allowable under this Scheme, the Department will disregard the amount of value added tax chargeable on any expenditure or fee.

4 Purpose of the Scheme

- (1) The purpose of this Scheme is to provide grants to eligible applicants to undertake an energy efficiency survey or energy efficiency improvement work.
- (2) No grant may be made under this Scheme for work —
- (a) that is or has been funded by money provided under any other scheme operating in the Island (whether or not under any statutory provision); or
- (b) that involves repeating work already done with the benefit of a grant under the Scheme, or a previous scheme having the same purpose,

unless it appears to the Department that having regard to all relevant factors (including the effluxion of time) it is reasonable for funding to be provided under this Scheme in respect of the work.

- (3) No monies are payable in respect of works commenced before the date of the approval by the Department of an application made under this Scheme.
- (4) An annual sum from the General Revenue has been appropriated by the Department for expenditure under this Scheme. Any approval or payment of a grant under the Scheme is subject to this annual allocation, which may not be exceeded.
- (5) The maximum amount of grant payable under this Scheme is the lesser of –
 - (a) 75% of the cost of the permitted work; or
 - (b) £250 per item of permitted work,up to a maximum of £1,000 per eligible premises.

PART 2 - ELIGIBILITY

5 Eligible applicants

- (1) An applicant is eligible for a grant under this Scheme only if –
 - (a) the applicant's taxable income, together with that of the applicant's spouse, civil partner, or partner, does not exceed £15,000 per annum for the income tax year preceding that in which the application is submitted; and
 - (b) neither the applicant or the applicant's spouse, civil partner, or partner is in arrears in respect of Income Tax and National Insurance Contributions.
- (2) A landlord is not eligible to apply for a grant under this Scheme.
- (3) In sub-paragraph (1) –

“income tax year” has the meaning given in section 120 of the Income Tax Act 1970;

“taxable income” means the income, after deducting income tax allowances.

6 Eligible premises

- (1) Subject to sub-paragraphs (2) and (3), this Scheme applies to residential premises or a flat of any age.
- (2) This Scheme does not apply to premises owned by a Department, local authority, Statutory Board, housing association or housing trust.

- (3) Premises that have benefitted from a grant under this Scheme are ineligible for a further grant within one year of the Department issuing an authorisation notice for permitted works under paragraph 11(2).
- (4) Premises to which this Scheme applies are referred to as “eligible premises”.
- (5) In sub-paragraph (2) —
 - (a) "housing association" has the meaning given by section 11 of the Housing (Miscellaneous Provisions) Act 1976; and
 - (b) "housing trust" means a corporation or body of persons that is required by its governing instrument —
 - (i) to use the whole of its funds, including any surplus which may arise from its operations, for the purpose of providing housing accommodation; or
 - (ii) to devote the whole, or substantially the whole, of its funds to charitable purposes and in fact uses the whole, or substantially the whole, of its funds for the purpose of providing housing accommodation.

7 Conditions of eligibility: residence

- (1) The applicant must satisfy the Department that —
 - (a) the eligible premises are, or within 6 months of the making of the application, or such longer period as the Department may in the circumstances of the particular case allow, will become, the applicant’s place of ordinary residence;
 - (b) the applicant is resident in the Island for the purposes of income tax; and
 - (c) the applicant is the holder of a relevant interest in the premises or has entered into a contractual obligation to acquire a relevant interest.
- (2) In this Scheme a person holds a “relevant interest” in the premises if the person —
 - (a) is the owner of the freehold of the premises; or
 - (b) is the lessee under a lease with at least one year unexpired under the term of the lease at the time of an application for a grant under this Scheme and has the landlord’s written consent to the making of the application and to the works to be undertaken as a result of the application being successful.

PART 3 - ASSISTANCE BY WAY OF GRANT

8 Grant assistance

- (1) The Department may give an eligible applicant financial assistance by way of a grant in accordance with this Scheme towards the cost of permitted works, carried out by a suitable contractor on eligible premises.
- (2) The Department must not pay a grant to an eligible applicant until the eligible applicant has acquired a relevant interest in the eligible premises.

PART 4 - APPLICATIONS

9 Applications

- (1) An application for a grant must be made in writing in a form approved by the Department.
- (2) The applicant must submit to the Department the completed application form together with any documents, plans and specifications the Department may require including the following –
 - (a) subject to paragraph 9(2)(b), at least 2 estimates from suitable contractors; and
 - (b) for works within paragraph 2 of Part 2 of the Schedule, one estimate for materials only.
- (3) The applicant and, insofar as necessary the applicant's spouse, civil partner, or partner, must give the Department authority to approach the Treasury for verification of the matters in paragraph 5.
- (4) An application is properly made only when all the information required by the Department and the authority mentioned in sub-paragraph (3) has been provided.

10 Consideration of applications

- (1) The Department must consider every application that has been properly made and must inform the applicant of its decision in writing.
- (2) The approval by the Department of an application is conditional upon the correctness of the information supplied in the application.
- (3) The Department may refuse to make any further payment, and may recover any payment that it has made, if it finds that any of the information in an application is false.
- (4) Recovery under this paragraph is in addition to any other action the Department may take.

PART 5 - PAYMENT OF GRANTS

11 Provisions relating to the payment of grants

- (1) The Department must not approve a grant under this Scheme until the eligible applicant has submitted to the Department such documents as the Department considers necessary.
- (2) If it approves an application, the Department must send the applicant an authorisation notice stating that the authorised work may commence.
- (3) All authorised works must be completed within 6 months from the date of the authorisation notice or such further period as the Department may in any particular case allow.
- (4) The Department may, after giving at least 24 hours' notice to the applicant, inspect the eligible premises and any authorised work in progress or completed under this Scheme.
- (5) The purpose of any inspection under sub-paragraph (4) is for the Department to determine –
 - (a) that the authorised work is being undertaken or has been completed; and
 - (b) whether a grant may be authorised and paid.
- (6) The applicant must permit access to the eligible premises for the purpose of an inspection under sub-paragraph (4).
- (7) The Department may withhold a grant in any case in which it considers that the authorised work appears not to have been carried out satisfactorily.
- (8) The Department may waive any one or more of the requirements contained in this Scheme in any case where it considers it appropriate.
- (9) The authorisation or payment of a grant under this Scheme does not indicate compliance with any other statutory provision or that the work has been carried out satisfactorily.
- (10) The applicant may not rely on an inspection carried out by and for the benefit of the Department or the authorisation or payment of a grant as confirmation that the work has been completed satisfactorily and the Department shall not be liable for any defect in work carried out under this Scheme nor for damage or problems arising from such work.
- (11) If an applicant is satisfied with the authorised work, the applicant must submit the contractor's invoice to the Department.
- (12) Payment of a grant under this Scheme shall be made to the applicant upon receipt of an invoice for authorised work, subject to the Department being satisfied that, unless they are waived under sub-

paragraph (8), the requirements in sub-paragraphs (3), (4) and (6) have been met.

- (13) The payment referred to in sub-paragraph (12) is subject to sub-paragraph (7).

12 Failure to comply with conditions of grant

- (1) On any failure by an applicant to the Scheme to comply with the conditions of any grant provided to that person or if any information given by the applicant is proven to be false in a material particular the Department may by notice require that the grant is to be repaid immediately.
- (2) The applicant must co-operate in all respects with the Department if action under this paragraph is necessary.

PART 6 - FURTHER INFORMATION

13 Terms and conditions

- (1) The Department may publish terms and conditions in relation to the approval and offer of a grant under the Scheme, with which a recipient of a grant must comply.
- (2) In addition to any terms and conditions published under sub-paragraph (1), a grant is subject to any terms or conditions which the Department may in any particular case decide to impose (whether or not relating to the works in respect of which the application is made).

14 Guidance

- (1) The Department may publish guidance for applicants relating to the operation of the Scheme, which may, amongst other things, detail –
- (a) the conditions of eligibility for assistance under the Scheme;
 - (b) the terms and conditions of any assistance given; and
 - (c) the application process and the information that must be provided in support of an application.

MADE 18 JUNE 2018

GEOFFREY BOOT

Minister for Environment, Food and Agriculture



SCHEDULE

[paragraph 4(1)]

PART 1 - ENERGY EFFICIENCY SURVEY COMPONENTS**1 An energy efficiency survey must comprise –**

- (1) air permeability testing at 50 Pa in accordance with the Air Tightness Testing & Measurement Association (ATTMA) TSL1 September 2016 Edition;
- (2) instruction in the use of boiler controls and thermostats; and
- (3) listing of low cost recommendations for further home improvements to improve energy efficiency.

2 An energy efficiency survey may additionally comprise –

- (1) work to exclude draughts and ventilate property; and
- (2) thermal imaging undertaken by a suitably qualified professional holding a valid Level 2 certificate in thermography, as defined by the UK Thermography Authority (UKTA).

PART 2 - ENERGY EFFICIENCY IMPROVEMENT WORK

	Works	Conditions of grant	Allowable percentage	Maximum grant
1	Energy efficiency survey	The survey comprises the elements in Part 1 of the Schedule.	75%	£250
2	<p>(a) Loft insulation</p> <p>(b) Associated works in connection with insulation works</p> <p>(c) Insulation of any hot water tank or cylinder that is not insulated to the recommended level</p> <p>(d) Insulation in any roof space of any water tank and any water supply pipes</p> <p>(e) Draught-proofing of windows and doors</p> <p>(f) Installation of thermostat radiator valves</p> <p>(g) Replacement of external doors in order to improve draught-proofing</p>	<p>(a) Provision in the roof space of an authorised material which will, when provided, give for the relevant structure a U-value of not less than 0.25W/m²k.</p> <p>(b) If there is no means of access to any roof space for the purpose of carrying out the insulation works, the provision of sufficient means of access for such purpose.</p> <p>(c) Insulation to be effected by means of a jacket conforming to British Standard 5615:1985, or, if there is insufficient space for such a jacket, of such other means of insulation as may be approved.</p> <p>(d) None.</p> <p>(e) None.</p> <p>(f) None.</p> <p>(g) Doors must be double glazed to current standards of thermal efficiency in accordance with the building regulations.</p>	75%	£250



The Department may deem other items of work as constituting energy efficiency improvement work and such items will also be subject to the grant limits as stated in paragraph 4(5).

In the table above —

"relevant structure" means the roof over the roof space and the ceiling below it and the material provided in the roof space;

"roof space" means the space between the roof of a dwelling and the ceiling of any room which is used or available for use for the purpose of living accommodation and which is not wholly separated from the roof by any other room; and

"U-value" means the thermal resistance of the insulation material used.

*EXPLANATORY NOTE**(This note is not part of the Scheme)*

This Scheme enables the Department of Environment, Food and Agriculture to make grants towards surveys or works of increased energy efficiency in residential properties.

Eligibility for a grant under the Scheme is based on an assessment of income.

Grants can be made of up to 75% of the cost of approved permitted works or of up to £250 per item of permitted work (whichever is the lesser sum).

The total grant or grants approved in respect of any property cannot exceed £1000.

Value added tax payable on the cost of materials or on fees is disregarded in calculating the amount of any grant.

The types of works that can be approved for a grant under this Scheme are specified in the Schedule to the Scheme.