

# **S.I. No. 148/2011 — Sustainable Energy Act 2002 (Section 8(2)) (Conferral of Additional Functions — Renewable Energy) Order 2011.**

*Notice of the making of this Statutory Instrument was published in*

*“Iris Oifigiúil” of 1st April, 2011.*

I, PAT RABBITTE, Minister for Communications, Energy and National Resources, in exercise of the powers conferred on me by section 8 (2) of the Sustainable Energy Act 2002 (No. 2 of 2002), having consulted with the Minister for Finance and the Sustainable Energy Authority of Ireland, and for the purpose of giving effect to Articles 13(3), 13(6), 14, and 21(1) of Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009<sup>1</sup>, hereby order as follows:

1. This Order may be cited as the Sustainable Energy Act 2002 (Section 8(2)) (Conferral of Additional Functions - Renewable Energy) Order 2011.

2. In this Order—

“SEAI” means the Sustainable Energy Authority of Ireland;

“biomass” has the meaning assigned to it by section 44A(1) (inserted by section 3 of the Energy (Biofuel Obligation and Miscellaneous Provisions) Act 2010 (No. 11 of 2010)) of the National Oil Reserves Agency Act 2007 (No. 7 of 2007);

“Commission Decision” means Commission Decision 2007/742/EC of 9 November 2007<sup>2</sup> establishing the ecological criteria for the award of the Community eco-label to electrically driven, gas driven or gas absorption heat pumps;

“conversion technologies” means technologies that allow for the release of energy directly from biomass, in the form of heat, electricity or motive force, or convert biomass to another form such as liquid or gas;

“Directive” means Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009<sup>1</sup> on the promotion of the use of energy from renewable sources;

“district heating” or “district cooling” means the distribution of thermal energy in the form of steam, hot water or chilled liquids, from a central source of production through a network to multiple buildings or sites, for the use of space or process heating or cooling;

“energy from renewable sources” has the meaning assigned to it by Article 2 of the Directive;

“heat pump” means a device or installation that extracts heat at low temperature from air, water or earth and supplies heat at a higher temperature.

3. The following additional functions in relation to renewable energy are conferred on SEAI:

(a) to liaise with relevant persons to ensure in so far as is reasonable that by 31 December 2012 certification schemes or equivalent qualification schemes for installers of small-scale biomass boilers or stoves, solar photovoltaic and solar thermal systems, shallow geothermal systems and heat pumps become or are made available;

(b) to provide information to the public on—

(i) support measures for energy from renewable sources introduced by the Government,

(ii) the availability and environmental benefits of all different renewable sources of energy for transport,

(iii) the net benefits, cost and energy efficiency of equipment and systems for the use of heating, cooling and electricity from renewable sources,

(iv) certification schemes or qualification schemes referred to in paragraph (a), and

(v) the list of installers who are qualified or certified in accordance with the provisions referred to in paragraph (a);

(c) to make guidance publicly available to all relevant persons, in particular planners and architects, in relation to the optimal combination of energy from renewable sources, of high-efficiency technologies and of district heating and cooling in the planning, designing, building and renovating of industrial or residential areas;

(d) to encourage, where appropriate, local and regional bodies to include heating and cooling from renewable sources in urban infrastructure planning;

(e) to develop, with the participation, where appropriate, of local and regional bodies, information, awareness-raising, guidance or training programmes or both in order to inform the public of the benefits and practicalities of developing and using energy from renewable sources;

(f) to promote:

(i) conversion technologies for biomass that achieve a conversion efficiency of at least 85 per cent for residential and commercial applications and at least 70 per cent for industrial applications;

(ii) heat pumps that fulfil the minimum requirements of eco-labelling established in the Commission Decision;

(iii) certified equipment and systems based on European standards where these exist, including eco-labels, energy labels and other technical reference systems established by the European standardisation bodies, for solar thermal energy.

4. SEAI shall perform the additional functions conferred on it by this Order in accordance with the Directive.

GIVEN under my Official Seal,

28 March 2011.

PAT RABBITTE,

Minister for Communications, Energy and Natural Resources.

#### EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

This S.I. pertains to the conferral of additional functions on the Sustainable Energy Authority of Ireland (SEAI). The functions being assigned to SEAI relate to requirements under the Renewable Energy Directive 2009/28/EC concerning renewable energy related information and training; promotion and encouragement of renewable energy use by public bodies; and promotion of certain renewable technologies.

1 OJ No. L140, 5.6.2009, p.16.

2 OJ No. L301, 20.11.2007, p.14.