



Department
of Energy &
Climate Change

Post Implementation Reviews: DECC's Commitments

February 2016

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Introduction

1. This note sets out regulatory measures owned by DECC which have statutory review clauses in legislation. As of February 2016, DECC had 27 statutory Post Implementation Review¹ (PIR) commitments.
2. Details on the implementation of sunset and review clauses can be found in the [Sunsetting Regulations Guidance](#) produced by the Department for Business, Innovation and Skills. Guidance on what is required to satisfy a statutory review provision is available in the [Better Regulation Framework Manual](#).
3. DECC also has a broad programme of evaluation activity, to assess and improve the delivery of our policies. The statutory reviews will, where possible, use this evaluation evidence to inform the reviews.

Objectives of a Statutory Review

4. For domestic measures, the purpose of a statutory review is to:
 - (a) consider the extent to which the measure has met its objectives
 - (b) check whether the policy objectives are still valid and relevant
 - (c) consider whether alternative, less regulatory measures would better meet the objectives or if not, whether the current measure could be improved to reduce burdens on business.
5. For EU-derived measures, a statutory review seeks to establish whether transposition of the measure and enforcement could be improved to reduce burdens on UK business. Where possible and proportionate the review will try to compare UK and European implementation to ensure British businesses are not at a competitive disadvantage.

Outputs

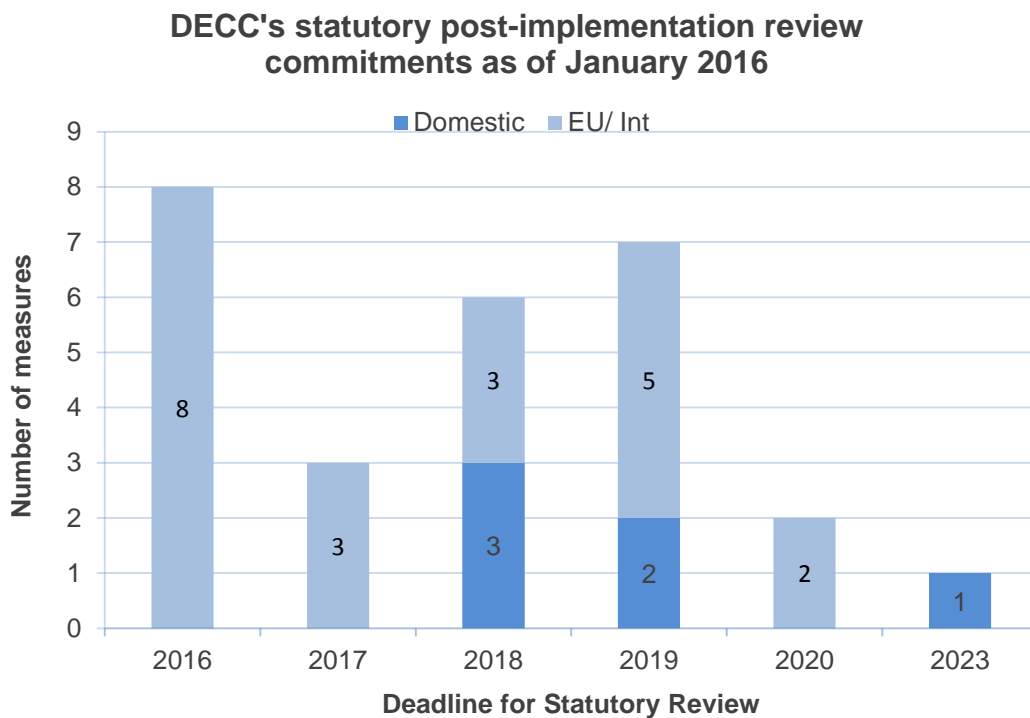
6. By the deadline specified in legislation, which is normally five years from the date the measure came into force, a statutory PIR needs to be:
 - sent to the [Regulatory Policy Committee \(RPC\)](#) and have received a 'fit for purpose' opinion,
 - seen by the [Regulatory Reform Committee \(RRC\)](#); and
 - laid before parliament.

After being laid before parliament the obligation renews and is due every 5 years after the original statutory deadline.

¹ Guidance on post-implementation reviews is available in the [Better Regulation Framework Manual](#). See also the BIS note: [Clarifying the relationship between policy evaluation, post-legislative scrutiny and post-implementation review – March 2010](#)

DECC Regulations with Review Clauses

7. As of January 2016, DECC had 27 regulations with statutory Post Implementation Review commitments. Six concern domestic legislation; the other 21 relate to EU- or internationally-derived legislation.
8. The graph below shows the number of DECC measures with statutory review provisions against the deadline for review completion. Annex A provides details of these measures. To date, DECC has completed and published two PIRs, one on the Ecodesign for Energy-Related Products (Amendment) Regulations 2011 and one on the Oil Stocking Order 2012. Both are published on the [DECC Better Regulation Pages](#). They are next due to be reviewed in 2020.



Monitoring and evaluation in DECC

9. Statutory Reviews are a part of DECC's broader work to monitor and evaluate our policies. Evaluation is an important element of learning about the outcomes of a policy (both intended and unintended), who were impacted by these outcomes, and why they occurred. This can help improve the policy, or provide the evidence base to inform future policy. Monitoring and evaluation are also key accountability tools, keeping the operation and outcomes of our work transparent. Where possible PIR work will be integrated into the department's broader evaluation planning to ensure maximum quality, relevance and value for money.

ANNEX A: Energy and climate change measures with statutory review clauses (split by year of review)						
Title of measure (click on the title to go to the relevant regulations)	Number	Origin	Date measure came into force	IA (click to go to IA)	DECC IA number	Deadline for Statutory Review
2015						
The Ecodesign for Energy-Related Products (Amendment) Regulations 2011	2011 No. 2677	EU	01/12/2011	Yes	Defra 1433	Published
The Oil Stocking Order 2012	2012 No. 2862	EU	31/12/2012	Yes	DECC0082	Published (link)
2016						
The Greenhouse Gas Emissions Trading Scheme (Amendment) (Fees) and National Emissions Inventory Regulations 2011	2011 No. 727	EU/ Int	06/04/2011	Yes	DECC0055	05/04/2016
The Storage of Carbon Dioxide (Termination of Licences) Regulations 2011	2011 No. 1483	EU	11/07/2011	Yes	DECC0034	10/07/2016
The Energy Information Regulations 2011	2011 No. 1524	EU	20/07/2011	Yes	N/A	19/07/2016
The Storage of Carbon Dioxide (Access to Infrastructure) Regulations 2011	2011 No. 2305	EU	16/09/2011	Yes	DECC0024	15/09/2016
The Electricity and Gas (Internal Markets) Regulations 2011	2011 No. 2704	EU	10/11/2011	Yes	N/A	09/11/2016
The Storage of Carbon Dioxide (Amendment of the Energy Act 2008 etc.) Regulations 2011	2011 No. 2453	EU	16/11/2011	Yes	DECC0068	15/11/2016
The Gas Transporter (Modification of Licence Conditions) Regulations 2011	2011 No. 2803	EU	16/12/2011	Yes	N/A	15/12/2016
The Greenhouse Gas Emissions Trading Scheme (Amendment) (Registries and Fees etc.) Regulations 2011 ²	2011 No. 2911	EU	01/01/2012	No	-	31/12/2016

²BEIS met the requirement to undertake a review in respect of certain provisions relating to the charging of fees in connection with the approvals process for Kyoto Protocol project activities through the PIR that was published earlier in the year: The Greenhouse Gas Emissions Trading Scheme (Amendment) (Fees) and National Emissions Inventory Regulations 2011 (published on 6 April 2016). Therefore, a separate review has not been undertaken. Relevant EU ETS aspects have been revoked and replaced by provisions in the Greenhouse Gas Emissions Scheme (Amendment) (Charging Schemes) Regulations 2012, which will be assessed in 2017 (row two in the 2017 section of this table).

2017						
The Storage of Carbon Dioxide (Inspections etc.) Regulations 2012	2012 No. 461	EU	23/02/2012	Yes	DECC0063	22/02/2017
The Greenhouse Gas Emissions Trading Scheme (Amendment) (Charging Schemes) Regulations 2012	2012 No. 2788	EU	03/12/2012	No		02/12/2017
Title of measure (click on the title to go to the relevant regulations)	Number	Origin	Date measure came into force	IA (click to go to IA)	DECC IA number	Deadline for Statutory Review
The Greenhouse Gas Emissions Trading Scheme Regulations 2012	2012 No. 3038	EU	01/01/2013	Yes	DECC0079	31/12/2017
2018						
The Nuclear Industries Security (Amendment) Regulations 2013	2013 No. 190	Domestic	28/02/2013	Yes	DECC0090	27/02/2018
The Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013	2013 No. 971	EU	19/05/2013	No		18/05/2018
The Electricity and Gas (Market Integrity and Transparency) (Enforcement etc.) Regulations 2013	2013 No. 1389	EU	29/06/2013	No		28/06/2018
The Hydrocarbons (Temporary Management Scheme) Regulations 2013	2013 No. 1329	Domestic	30/06/2013	No		29/06/2018
The Electricity Generating Stations (Variation of Consents) (England and Wales) Regulations 2013	2013 No. 1570	Domestic	31/07/2013	Yes	DECC0141	30/07/2018
The Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013	2013 No. 2696	EU	25/11/2013	No		29/11/2018
2019						
The Energy Efficiency (Eligible Buildings) Regulations 2013	2013 No. 3220	EU	15/01/2014	No		14/01/2019
The Greenhouse Gas Emissions Trading Scheme and National Emissions Inventory (Amendment) Regulations 2013	2013 No. 3135	EU	31/01/2014	No		30/01/2019
The Nuclear Industries Security (Amendment) and Nuclear Security (Prescribed Material) Regulations 2014	2014 No. 526	Domestic	31/03/2014	No		30/03/2019

The Energy Efficiency (Building Renovation and Reporting) Regulations 2014	2014 No.952	EU	30/04/2014	No		29/04/2019
The Energy Efficiency (Encouragement, Assessment and Information) Regulations 2014	2014 no.1403	EU	26/06/2014	Yes	N/A	25/06/2019
Title of measure (click on the title to go to the relevant regulations)	Number	Origin	Date measure came into force	IA (click to go to IA)	DECC IA number	Deadline for Statutory Review
Energy Savings Opportunity Scheme	2014 No. 1643	Domestic	12/07/2014	Yes	DECC0142	17/07/2019
The Heat Network (Metering and Billing) Regulations 2014	2014 No. 3120	EU	18/12/2014	Yes	DECC0154	18/12/2019
2020						
The Ecodesign for Energy-Related Products (Amendment) Regulations 2011: SECOND PIR	2011 No. 2677	EU	01/12/2011	Yes	Defra 1433	20/11/2020
The Oil Stocking Order 2012: SECOND PIR	2012 No. 2862	EU	31/12/2012	Yes	DECC0082	31/12/2020
2023						
The Nuclear Decommissioning and Waste Handling (Finance and Fees) Regulations 2013	2013 No. 126	Domestic	04/03/2013	Yes	DECC0069	03/03/2023

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