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Guidance

A guide to air conditioning inspections in buildings

Updated 28 December 2020

Applies to England and Wales

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Introduction

This guidance is intended to help anyone who manages or controls an air conditioning system to understand their obligations under the [Energy Performance of Buildings \(England and Wales\) Regulations 2012](https://www.legislation.gov.uk/uksi/2020/1422/contents/made) (<https://www.legislation.gov.uk/uksi/2020/1422/contents/made>), as amended in 2020 (the EPB regulations). This guidance aims to explain how the EPB regulations work in practice, how they should be applied, what your responsibilities are and when air conditioning inspections are required.

While this guidance aims to explain how the requirements will work in practice, any interpretation of the regulations is offered only as a guide. The Ministry of Housing, Communities and Local Government (MHCLG) cannot provide legal advice. Therefore, it is important to read and understand the regulations and for individuals themselves to take a view on whether their systems fall within the requirements of the regulations. In cases of doubt independent legal advice should be sought.

This guidance does not address other statutory inspection requirements, such as those which cover health and safety requirements, nor does it cover inspection under the Fluorinated Greenhouse Gas Regulations and associated requirements, which are outside the remit of the EPB Regulations.

This guidance incorporates extracts from the Chartered Institution of Building Services Engineers (CIBSE), '[TM44: Inspection of air conditioning systems: a guide to EPBD compliance](https://www.cibse.org/knowledge/knowledge-items/detail?id=a0q200000817etAAC) (<https://www.cibse.org/knowledge/knowledge-items/detail?id=a0q200000817etAAC>)' (CIBSE TM44 guidance), with the permission of CIBSE, which describes the appropriate assessment methodology.

This document is part of a suite of documents that explains the requirements for energy performance certificates (EPCs), display energy certificates (DECs) and air conditioning inspections in England and Wales only. Buildings in Northern Ireland and Scotland are subject to separate regulatory requirements and are not covered by or referred to in this guidance.

Air conditioning inspection requirements

Why air conditioning inspections are required?

An air conditioning system inspection by an accredited air conditioning energy assessor (the energy assessor) is designed to improve efficiency, reduce

energy consumption, reduce operating costs and reduce carbon emissions. The energy assessor will highlight how the operation of existing systems can be improved or opportunities to replace older, less energy efficient systems, or oversized systems, with new energy efficient systems.

As the replacement of refrigerant is restricted in older systems (as established in other legislation), there is an additional incentive to improve or replace older systems with more modern energy efficient units.

The person who controls the operation of the system, such as the building owner or manager, has statutory obligations and duties of care related to the operation and maintenance of air conditioning systems. The inspections referred to in this guide are in addition to the standard activities associated with the ownership and operation of air conditioning systems.

Inspection, maintenance and cleaning programmes maintain the ability of the system to provide healthy and comfortable environments for building occupants, limiting the escape of refrigerant gases and ensuring the safety of equipment. The practices and procedures needed to achieve these aims should be applied more frequently than the assessment for energy efficiency described here. It is outside the scope of this document to describe these procedures in detail.

When air conditioning inspections are required?

All air conditioning systems with an effective rated output of more than 12kW must be regularly inspected by an energy assessor. The inspections must be no more than five years apart.

The regulations require the first inspection of air conditioning systems in scope to be carried out as follows:

- for all systems first put into service on or after 1 January 2008, the first inspection must have taken place within five years of the date when the system was first put into service
- for other air conditioning systems, where the effective rated output is more than 250kW, the first inspection must have taken place by 4 January 2009
- for other air conditioning systems, where the effective rated output is more than 12kW, the first inspection must have taken place by 4 January 2011

Which systems require an air conditioning inspection?

Only air conditioning systems with an effective rated output of more than 12kW are affected by these regulations. This will include systems consisting of individual units which are less than 12kW, but whose combined effective rated output is more than 12kW.

The effective rated output is the maximum calorific output in kW stated by the manufacturer of the system as delivered during continuous operation while complying with the useful efficiency indicated by the manufacturer.

One or more air conditioning units within a building controlled by a single person are considered to comprise a single air conditioning system for the purposes of the regulations.

‘Air conditioning system’ means a combination of all components required to provide a form of air treatment in which the temperature is controlled or can be lowered; and includes systems which combine such air treatment with the control of ventilation, humidity and air cleanliness. (As defined in [The Energy Performance of Buildings \(England and Wales\) Regulations 2012 \(as amended\)](https://www.legislation.gov.uk/ukxi/2012/3118/made) (<https://www.legislation.gov.uk/ukxi/2012/3118/made>)). This guidance is intended to cover any air conditioning system where refrigeration is used to provide cooling for the comfort of the occupants of the building.

There is no exemption within the regulations which restricts the inspection and maintenance of systems to those purely for the comfort of occupants. Refrigeration provided solely for process applications, such as cold stores and pharmaceutical production, can be inspected. However, this guidance is not intended to cover dedicated process cooling systems.

Fluorinated greenhouse gas inspections

Fluorinated greenhouse gases (F-gases) are powerful greenhouse gases, with environmental impacts many times greater than that of carbon dioxide. F-gases replaced ozone depleting substances, which are now entirely banned except in very limited circumstances. The most common types of F-gases are hydrofluorocarbons (HFCs), which are often used as the refrigerant in air conditioning systems.

A phase-down of HFC use was introduced by the Kigali Amendment to the United Nations Montreal Protocol in 2016. The Amendment requires an 85% reduction in HFC use by 2036. The EU and UK meet their Kigali obligations through the EU F-gas Regulation 517/2014. After the end of the EU Exit Transition Period, the F-gas Regulation and its supplemental legislation will be retained in domestic law as it applies to Great Britain, with Northern Ireland remaining within, and subject to, the EU’s F-gas system and legislation.

Alongside provisions for the reduction in HFC use, the F-gas Regulation sets out a framework of obligations to minimise the risk of emissions. This includes maintenance, regular leak checking and repair requirements for equipment containing F-gases, such as air conditioning systems, as well as training and certification requirements for technicians and companies that work on them.

Further [information on F-gas obligations](#)

(<https://www.gov.uk/government/collections/fluorinated-gas-f-gas-guidance-for-users-producers-and-traders>) can be found on the Department for Environment, Food and Rural Affairs (Defra) website.

Air conditioning inspection reports

What advice can I expect to receive from the air conditioning report?

The purpose of the air conditioning inspection report is to ensure that the building owner or manager is provided with information regarding the efficiency of the air conditioning systems that they control, together with advice on how to improve the energy efficiency of the system, to identify opportunities to save energy and carbon and to reduce operating costs.

The air conditioning inspection report will include at least the following details:

- the likely efficiency of the system and any suggestions for improvement
- any faults identified during the inspection and suggested actions
- the adequacy of equipment maintenance and any suggestions for improvement
- the adequacy of the installed controls and control settings and any suggestions for improvement
- the current size of the installed system in relation to the cooling load and any suggestions for improvement
- consideration of the capabilities of the system to optimise its performance under typical operating conditions
- a summary of the findings and the key recommendations

There is no legal requirement to act on the recommendations. However, acting on the advice and key recommendations in the air conditioning inspection report and rectifying faults, or making the appropriate improvements, where this is attractive and cost effective, will contribute to the efficient running of air conditioning systems. It will also reduce carbon emissions and the operating costs for the building occupants.

In some cases, the costs of providing both heating and cooling may be reduced, where these two systems are in use at the same time unnecessarily, due to inappropriate control or settings. In many cases, it will be clear that the building and its system are already well-understood, documented and commissioned, with records available showing that the equipment has been regularly maintained to a good standard.

In such cases, the scope of an inspection could be reduced and the air conditioning inspection report brief, with the main content advising on opportunities for load reduction or alternative solutions not previously considered. In other cases, the energy assessor may find it necessary to suggest relatively basic maintenance, such as cleaning or repairs to equipment whose efficiency has evidently suffered through neglect.

Cleaning operations or adjustments to controls do not form part of the inspection procedure, even where they might be carried out simply and with significant immediate effect to improve efficiency. The inspection is not intended, or expected, to involve any physical work of this nature as this could change the level of professional risk to the energy assessor. Authority to carry out this work would be needed in a separate arrangement with the energy assessor, provided they have the necessary competence to do this work. However, the building owner or manager may well be able to carry out some alterations themselves as the inspection is carried out, provided they agree with the energy assessor's observations.

Most air conditioning inspection reports are likely to contain advice with a combination of simple low or no cost measures and measures where some investment may be required to apply the measures, or to investigate the potential of applying measures. The building owner or manager should also be provided with access to, or informed about how to obtain advice on the ongoing management of the systems.

What other information does the air conditioning inspection report contain?

The air conditioning inspection report must include, but is not limited to, the following information:

- the address of the building in which the system is located
- the name of the accredited energy assessor
- the name and address of the energy assessor's employer, or the name under which a self-employed assessor trades and his address
- the date on which the inspection occurred

- the name of the government approved air conditioning accreditation scheme [\[footnote 1\]](#) of which the accredited energy assessor is a member

All air conditioning inspection reports produced on or after the 6 April 2012 must contain a valid reference number. This number can only be generated once the air conditioning inspection report has been lodged on the Energy Performance of Buildings Register (“the register”).

Obtaining an air conditioning inspection

Who is responsible for ensuring an inspection is completed?

The person who controls the operation of an air conditioning system must:

- ensure an inspection has been done in accordance with the requirements and timetable of the regulations
- keep the most recent air conditioning inspection report provided by an energy assessor
- give any air conditioning inspection report to any person taking over responsibilities with respect to the control of the air conditioning system

If the control of an air conditioning system is passed to another person and that person has not been given an air conditioning inspection report by the previous operator of the system, the system must be inspected within three months of the new operator taking over control of the system.

Who controls an air conditioning system?

The person who controls the operation of the system is regarded as the person who controls the technical functioning of the system, not someone who does no more than adjust the temperature or whose only responsibility is to adjust the controls.

The owner of the system will usually control the operation of the system even where day-to-day operation is contracted out to another person or organisation. Where the occupier of the building takes total responsibility for a building and its services (e.g. full repairing and insuring lease), then the occupier will control the system.

Where the operation and management of the system is carried out on a day-to-day facilities management basis, or a servicing company provides routine servicing and maintenance, the contract may specify the facilities management, or servicing company, as the controller of the system with responsibility for ensuring that inspections are carried out. Depending on the terms of the contract the facilities management or servicing company may become responsible under the regulations also. In such cases, however, the landlord or building occupier retains a parallel duty to ensure that an air conditioning system has been inspected.

Where air conditioning systems are installed locally by the building occupier, the responsibility will lie with the occupier as they own the system.

Who can inspect air conditioning systems?

An inspection of an air conditioning system must be carried out by an [energy assessor](https://www.gov.uk/get-your-air-conditioning-system-inspected) (<https://www.gov.uk/get-your-air-conditioning-system-inspected>) who is a current member of an accreditation scheme. The energy assessor must make a copy of the air conditioning inspection report available to the building owner or manager, or to the person who controls the operation of the system, as soon as practicable after the inspection date, but only after the air conditioning inspection report is entered on the register. Only air conditioning inspection reports which have been produced and lodged on the register by accredited energy assessors are valid reports.

In certain circumstances, data gatherers, working under the supervision of the energy assessor, enable the energy assessor to produce the air conditioning inspection reports for larger and sometimes more complex buildings and portfolios of buildings. Data gatherers must have a contractual relationship with an energy assessor, or the company employing the energy assessor, to provide professional assistance to gather the information needed to carry out an energy assessment of a building for the purpose of issuing an air conditioning inspection report. The energy assessor must be able to verify the data and supervise how and by whom it is collected. For the purposes of effective quality control and assurance, the energy assessor must not sanction any practice that is contrary to the quality of the air conditioning inspection report. MHCLG has provided accreditation schemes with guidance on this issue.

Who is responsible for monitoring the work of energy assessors?

Accreditation schemes (Annex A) are responsible for managing energy assessors and for quality-assuring air conditioning inspection reports produced by their energy assessors. Accreditation schemes must ensure that energy assessors are competent and possess the appropriate skills to conduct energy assessments.

To become a member of an accreditation scheme, the energy assessor will need to:

- demonstrate their competence, either by having a recognised qualification from an awarding body, or approved prior experience and learning equivalent, to the national occupational standard requirements
- maintain appropriate professional indemnity cover
- update their skills and knowledge regularly
- participate in the accreditation schemes' quality assurance procedures
- abide by accreditation scheme advice and guidance

Am I required to keep the air conditioning inspection report?

The air conditioning inspection report must be kept in a safe place so that it can be used to inform subsequent inspections or passed to a new system owner or manager. The air conditioning inspection report should be kept with maintenance and/or other energy records, for example, in a building log book.

Newer buildings may already be provided with a building log book satisfying the requirements of Part L of the Building Regulations to provide the building owner or manager with information about the building, its fixed services and their maintenance requirements. The building log book would normally be the most suitable place to keep records of the air conditioning inspection, together with other such inspection results e.g. fluorinated greenhouse gas inspections. Where a log book does not exist, it would be useful to keep air conditioning inspection records in a relevant section of the building's operation and maintenance documents.

Other information it would be helpful to keep in the building log book or if a log book is not available, with the building's operation and maintenance documents would be the preparatory details for packaged cooling systems or for centralised cooling systems. Further information can be found in sections 2.2 and 2.3 of the CIBSE TM44, guidance (or similar equivalent guidance). Information that would be helpful to retain includes:

- a copy of the fully signed air conditioning inspection report of the air conditioning inspection produced by the energy assessor

- the recommendation report and any data used to prepare an EPC for the building (where one has been produced)
- the recommendation report produced to accompany a DEC (if one is required)
- the reports from any other regular inspections, such as inspections for refrigerant leakage, involving the building's air conditioning or heating systems

This information can then be provided for subsequent inspections and it may help to minimise the time needed to carry out an inspection.

Applying the regulations in practice

Where can I find information about the size of an air conditioning system?

The effective output of an individual air conditioning unit or system may be given on the rating plate attached to the unit. It may also be found in the operating and maintenance manual or on the manufacturer's website. Alternatively, where the system is covered by a maintenance contract, the capacity should be known by the contractor and should be reported in the maintenance records they supply. Where there is more than one unit in a system, it may be necessary to aggregate the ratings shown on the rating plate of each unit.

The guidelines below are an approximate indication of typical figures for installed capacity for various spaces and may help you determine whether your system is within the scope of the regulations. Cooling requirements depend on a wide range of circumstances, including the fabric, location and orientation of the building, as well as the activities and the number of people occupying the building. Older systems are also likely to have higher rated outputs for a given floor area. Where more specific figures are needed, these should be calculated taking account of the particular circumstances of the building and its use.

If it is not clear whether a building reaches the threshold, the installed capacity of the system must be determined by appropriate inspection, calculation and enquiries. In other, more specialised buildings, the wide range of factors which influence system capacity means that the capacity of these systems should be determined by a suitably qualified person. If the information is not already available, the size of the system should be determined on a case-by-case basis.

For larger systems, a central cooling system serving an office building of 2,000m² is likely to be 250kW rated output. Cooling systems serving meeting rooms which may be used by large numbers of people, such as council chambers, may exceed the 250kW threshold for lower floor areas.

Activity	Likely area requiring 12kW of cooling
Air conditioning general office spaces Assuming typical levels of electrical equipment and 8-10 m ² per person	200 m ²
Air conditioned offices with high levels of IT electrical equipment	100 m ²
Office, call centre or dealing floors with high occupation densities of 6 m ² or similar and high levels of IT, communication or lighting loads may well fall within the scope at smaller areas.	
Retail spaces with average levels of display lighting	250 m ²
Retail spaces with high levels of display lighting and illuminated cabinets	150 m ²

Control of air conditioning systems and the requirement for air conditioning inspections

Control of equipment

The building owner or manager is responsible for ensuring there is an air conditioning inspection report for the central system and the building occupier is responsible for ensuring there is an air conditioning inspection report for the equipment they have installed. In this example each party controls less than 250kW and the first inspection must have happened by 4 January 2011.



The central air conditioning system for the building is 150kW.

Tenant 1 occupies floors 1 and 2 and had additionally installed their own system of 110kW.

The landlord is the relevant person for the control of the central (150kW) system. The tenant is the relevant person for the control of the additional system (110kW) on floors 1 and 2.

Multiple small systems in a building

Where a system consists of a number of small units with an effective rated output of less than 12kW, but the total number of units within the building means that the combined cooling capacity is greater than 12kW then an air conditioning inspection is required.

The example below shows an air conditioning system with a cooling capacity greater than 250kW that serves multiple separate rooms. Although the air conditioning system serves multiple separate rooms, some with cooling capacity as low as 3kW per room, the air conditioning system is a single system under single control for the whole building with a cooling capacity greater than 250kW. An air conditioning inspection on a system with a cooling capacity greater than 250kW should have been carried out by 4 January 2009. A revised

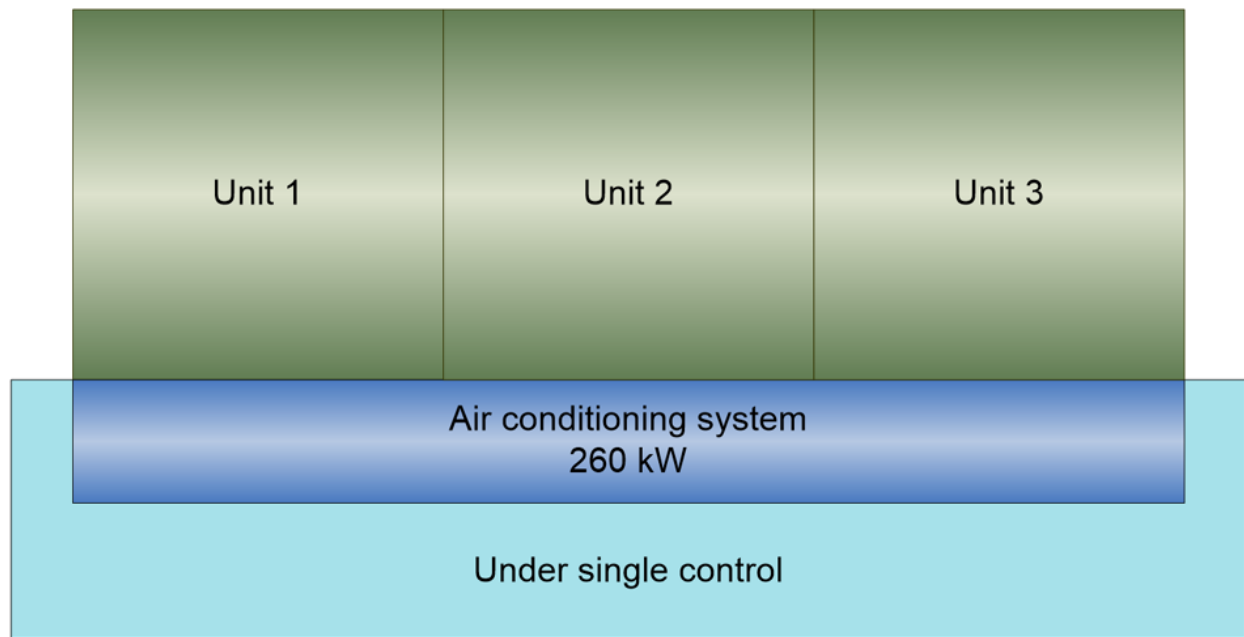
air conditioning inspection report would be required every 5 years from the date of the initial inspection.

Restaurants and bars	120kW
Reception	

Hotel has 50 rooms. Each room has a cooling capacity of 3 kW. The System is under the control of the hotel chain. The total under single control is 270kW, 150kW in rooms and 120kW for the reception rooms and restaurants. The first inspection must have taken place by 4 January 2009.

Equipment under single control in parts of a building

The example below shows an air conditioning system with a cooling capacity greater than 250kW that serves three separate parts of a building that are designed for separate use. Although the air conditioning system serves three parts of a building that are designed for separate use the air conditioning system is a single system under single control for the whole building with a cooling capacity greater than 250kW. An air conditioning inspection on a system with a cooling greater than 250kW should have been carried out by 4 January 2009. A revised air conditioning inspection report would be required every 5 years from the date of the initial inspection.



Units 1, 2 and 3 are parts within a building. They are designed or altered to be used separately.

The air conditioning system serves units 1, 2 and 3 and are controlled by the same person.

Together the total capacity controlled is > 250kW.

The first inspection must have been completed by 4 January 2009.

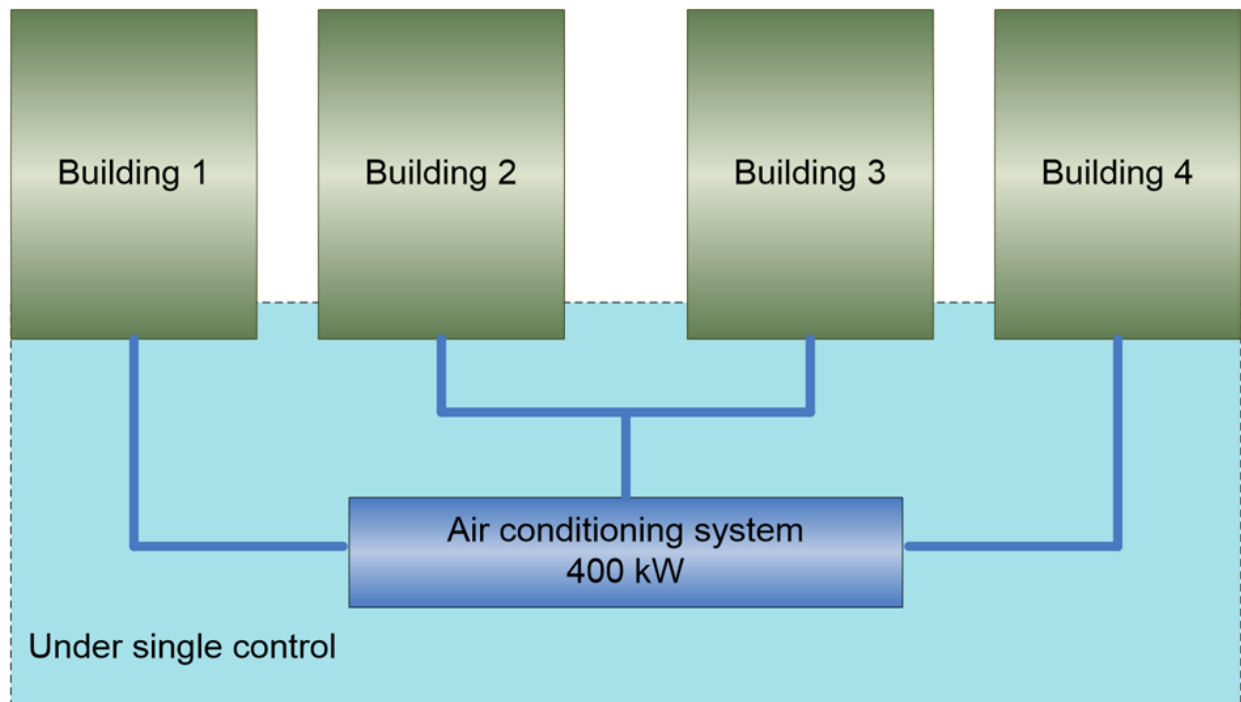
Equipment under single control in separate buildings

Where an individual building benefits from the refrigeration plant of an air conditioning system under single control, the building owner or manager is responsible for obtaining an air conditioning inspection report if the rating of the local cooling plant in the building is greater than 12kW.

The buildings are not covered by the air conditioning plant under single control, unless the systems in these buildings are a permanent part of the air conditioning system.

The example below shows an air conditioning system with a cooling capacity greater than 250kW that serves four separate buildings. Although the air conditioning system serves four separate buildings the air conditioning system

is a single system under single control with a cooling capacity greater than 250kW. An air conditioning inspection on a system with a cooling capacity greater than 250kW should have been carried out by 4 January 2009. A revised air conditioning inspection report would be required every 5 years from the date of the initial inspection.



Air conditioning systems in buildings 1-4 are part of a district cooling system and are controlled by the same person.

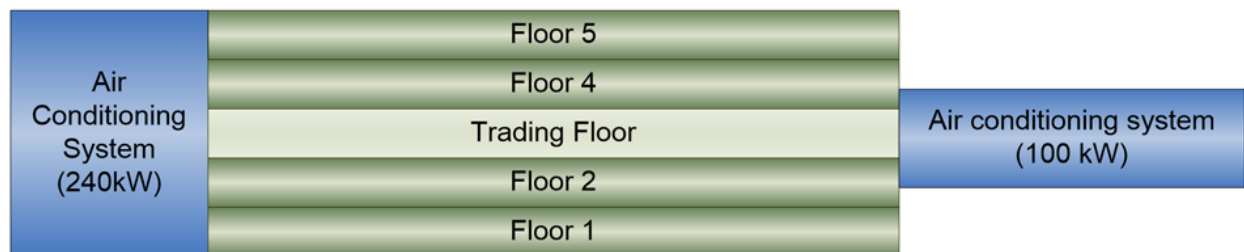
Together the total capacity controlled is > 250kW.

The first inspection must have been completed by 4 January 2009.

Cooling capacity, where occupants benefit from additional cooling capacity

In this example, a building is served by a single system of more than 250kW capacity under single control with an additional air conditioning system rated at 100kW.

An air conditioning inspection on a system with a cooling capacity greater than 250kW should have been carried out by 4 January 2009. A revised air conditioning inspection report would be required every 5 years from the date of the initial inspection.



The building is served by a single system under single control < 250kW. In addition an air conditioning system of 100kW has been installed to serve the trading floor. The total under single control is >250kW. The first inspection must have been completed by 4 January 2009.

The occupants on the trading floor are using machines rather than solely running the process. Any additional air conditioning capacity, therefore, benefits the occupants and is included in the air conditioning capacity to be inspected.

Assessing the efficiency of an air conditioning system

What is the scope of an air conditioning inspection?

Refrigeration

Refrigeration equipment and its associated heat exchange systems are checked briefly. The inspection looks primarily for indicators of damage or lack

of maintenance that would significantly reduce their efficiency from their 'as new' state and does not provide high levels of detail.

Effective heat rejection is necessary to maintain the efficiency of the refrigeration system. If outdoor heat rejection equipment is damaged, or its access to adequate flow of air is otherwise reduced by blockage due to dirt or debris, its effectiveness in rejecting heat is reduced and its temperature will be unnecessarily high. This has the effect of reducing refrigeration efficiency and reducing the cooling capacity of the system. It may cause the refrigeration equipment to turn off and on under the action of its own high temperature or pressure cut-out, often without satisfying the building cooling load.

Similarly, effective indoor heat exchange is necessary to maintain the efficiency of the refrigeration system. If this heat exchange equipment is damaged, or its access to adequate airflow is otherwise reduced, its effectiveness in transferring heat to the refrigeration system is reduced and its temperature will be unnecessarily low. This consequentially reduced temperature at the indoor unit increases the temperature difference that the refrigeration system has to maintain, which has the effect of reducing the cooling capacity of the system. It may cause the refrigeration equipment to turn off and on under the action of its low temperature or pressure cut-out, often without satisfying the building cooling load.

Air moving systems

Where installed as part of the system to provide cooling, air moving systems is an important factor in the assessment. The contribution that fans make to the total annual energy consumption of the combined cooling system is likely to be higher than that of the refrigeration plant itself, and there may be a greater potential for improvement.

The effectiveness of how air is delivered can play a part in determining the overall efficiency of the air conditioning system. Where delivery systems are ineffective, a plant that is otherwise efficient may operate for longer periods than necessary. However, the reverse may also be true, in that some delivery systems may interact unfavourably with occupants or control sensors, leading to reduced operation and consequential lack of adequate cooling. Improving some systems, even those operating at good efficiency, could reduce annual energy use.

Important factors to observe are the condition of; damage to; or blockage of filters and heat exchangers, and the fan type and method of control. Ventilation air delivery systems need free access to outdoor air. Where grilles, screens or pre-filters are obscured through damage or by debris, additional energy will be needed to overcome the extra resistance caused by the restriction to air flow, or the system may under-perform in other ways due to reduced air flow rates.

Where systems provide cooled air, admitting air from locations where the local air temperature may be higher than ambient will add to the energy required to

achieve cooling to the required temperature. Such locations might include positions near busy roads, in car parks, or where exhaust air from the building could be drawn into the air inlet.

Controls

System controls are assessed in more detail. There could be considerable scope to identify inefficiency due to inappropriate control methods and control settings and poorly located sensors. There may be potential for improvement at low cost. Improving systems might be as simple as adjusting time switches or for cooling or heating thermostats being set correctly. The energy assessor would not reset them, but will report to the building owner or manager.

An investigation of the realised effectiveness of system controls over any significant period of operation would be outside the scope of a simple inspection regime, but a series of physical observations of their layout and operation could give an indication of potential inefficiency, ineffectiveness or misuse.

It might not be possible to investigate some aspects of the layout and operation of controls, particularly in more complex systems. However, enough of the important elements may be accessible for a brief examination. The following important elements of a system's controls should be assessed during an air conditioning inspection:

- the set temperatures to which the treated spaces are to be conditioned
- the time periods during which they are to be conditioned
- the appropriateness of the control zones, control sensors and their locations
- the potential for cooling to be operated at the same time as heating
- the method of refrigeration capacity control
- the method of air flow rate control

Where systems are controlled by a building management system, it may be necessary for the building manager to arrange for the relevant information to be extracted from the building management system prior to the inspection.

Documentation

The quality, extent and accessibility of relevant information provided before an energy assessor inspects the system has important consequences for the effectiveness and cost of an air conditioning system inspection. Information about the air conditioning systems installed and their operation should be provided to the energy assessor in order for them to be able to carry out the most effective assessment of the system. Incomplete or missing documentation not provided to an energy assessor could reduce the effectiveness of the assessment. It could also increase the cost of the inspection by requiring the energy assessor to locate relevant documentation while on site.

The energy assessor will ask the building owner or manager to provide a list of relevant records; for sight of the principal documents before the site visit; and for site records to be made readily available. Any available documentation must be provided prior to the inspection. This could include, for example, catalogue information and details provided during installation, commissioning and maintenance of the system.

Maintenance

Evidence of any existing planned maintenance schedule or of other recent maintenance activities will be sought. Where documentation clearly shows that equipment and systems are already the subject of regular good practice checking and maintenance procedures, a number of aspects of the inspection and provision of advice may be reduced in scale or omitted.

Advice on improvement options

a) It is likely that an assessment will conclude that the energy efficiency of the system will fall into one of three categories:

- systems where efficiency is clearly impaired due to faults, neglect or misuse
- systems where efficiency is likely to be lower than current accepted minimum provisions due to aspects of design or use
- systems that are acceptably efficient

b) There are three broad levels of advice that the building owner or manager may receive:

- advice on the rectification of faults in the system that are impairing its efficiency as designed
- improvement advice to bring existing systems broadly to a standard of 'inherent' efficiency consistent with the current minimum provisions of building regulations or standards
- best practice improvement advice to raise standards even where systems are fully compliant with the current minimum provisions of building regulations or standards

Given the need for simplicity and consistency, the inspection will mainly provide a combination of aspects of a) and b). However, best practice advice may be provided on a generalised basis by referring to other published guidance sources.

A further category of advice which may also be given concerns some systems which may be older and operate with refrigerants which are being phased out, or may have their use and supply restricted under regulations relating to ozone depleting substances. In these cases, the energy assessor may give advice on possible options for future system adaptation to use other refrigerants or for

complete replacement. This advice will need to be supplemented by a more detailed assessment when modifications or replacement are to be undertaken.

More detailed information about the inspection process and good practice inspection and maintenance guidance can be found in the CIBSE TM44 guidance (or similar equivalent guidance).

Consumer protection and enforcement

Checking the authenticity of an air conditioning inspection report or an energy assessor

An air conditioning inspection report must be produced by an accredited energy assessor. The energy assessor must make a copy of the air conditioning inspection report available to the building owner or manager, as soon as practicable after the inspection date, but only after the air conditioning inspection report has been lodged on the register. The energy assessor may also make a copy of the air conditioning inspection report available to the accreditation scheme of which they are a member.

All energy assessors must be a member of an accreditation scheme. To check that an energy assessor is a member of an accreditation scheme a search facility is available on the [register website \(https://getting-new-energy-certificate.digital.communities.gov.uk/\)](https://getting-new-energy-certificate.digital.communities.gov.uk/). If a person does not have access to the internet, they can ask the energy assessor for the name of the accreditation scheme of which they are a member and for their membership number. This information will enable the building owner or manager to confirm with the accreditation scheme that the energy assessor is accredited and fit and proper to practice as an air conditioning energy assessor.

From 6 April 2012, it became a statutory requirement for the energy assessor to lodge all air conditioning inspection reports on the register. To be valid, any air conditioning inspection report produced on or after this date must be lodged on the register. When an air conditioning inspection report is lodged it will be allocated a unique report reference number. Air conditioning inspection reports produced before 6 April 2012 may have been lodged on the register on a voluntary basis. However, there is no statutory requirement for a valid air conditioning inspection report, produced before this date, to be lodged on the register retrospectively.

Statutory lodgement was introduced to protect the consumer and to ensure that only accredited energy assessors can undertake inspections and prepare

subsequent reports. Statutory lodgement enables the building owner or manager to verify the identity of the energy assessor and for accreditation schemes to monitor the standard of the air conditioning inspection reports which have been produced. Statutory lodgement also enables lost and mislaid air conditioning inspection reports to be replaced easily at no additional cost to the building owner or manager.

The building owner or manager will be able to check the validity of the air conditioning inspection report by accessing an online copy of the air conditioning inspection report. A copy of the air conditioning inspection report can be downloaded from the register website using the report reference number.

An air conditioning inspection report can also be downloaded from the register website using the building address, if the report reference number has been mislaid, unless the building owner has 'opted out' of making the report available in this way.

Complaints

Complaints about the availability or quality of an air conditioning inspection report or about an energy assessor who produced the air conditioning inspection report should be directed to the following:

Failure to secure an air conditioning inspection report: for complaints regarding the availability of an air conditioning inspection report, you should contact the building occupier or an authorised officer of the Local Weights and Measures Authority (usually a Trading Standards Officer). Trading Standards have the power to act on your complaint.

Quality or accuracy of the air conditioning inspection report and the recommendations: for complaints regarding the quality or accuracy of the air conditioning inspection report, in the first instance, you should contact the energy assessor who produced the air conditioning inspection report. If the assessor is no longer practising, or you are not satisfied with the response you have received, you should contact the accreditation scheme of the energy assessor who produced the air conditioning inspection report. Contact details of both the energy assessor and accreditation scheme can be found on the air conditioning inspection report.

Complaints regarding an energy assessor or any aspects of the assessment process: for complaints regarding the energy assessor or the assessment process you should contact, in the first instance, the energy assessor who produced the air conditioning inspection report. If the energy assessor is no longer practising, or you are not satisfied with the response you have received, you should contact the accreditation scheme of the energy assessor who produced the air conditioning inspection report. Contact details of both the energy assessor and accreditation scheme can be found on the air conditioning inspection report.

The accreditation scheme must investigate the complaint and where necessary, provide the appropriate redress. Where it is found that the information on the air conditioning inspection report is wrong, a new air conditioning inspection report must be provided and the inaccurate air conditioning inspection report cancelled on the register. This procedure should be followed at no cost to the complainant. If a complaint cannot be resolved satisfactorily, the accreditation scheme will refer the matter to an independent third party for adjudication.

If the building owner or manager suspects that the air conditioning inspection report has been produced fraudulently, then the matter should be referred to the police.

Penalties for not having an air conditioning inspection report

Local Weights and Measures Authorities (usually Trading Standards Officers) are responsible for enforcing the requirements relating to air conditioning inspection reports. Failure to commission, keep, or provide an air conditioning inspection report when required by the regulations means that a penalty charge notice may be issued to those in breach of the requirements. Trading Standards Officers may act on complaints or undertake investigations. They may request that a copy of the air conditioning inspection report is provided to them. If requested, the building owner or manager must provide this information within seven days of the request being made or be liable to a penalty charge notice for failing to do so. A copy of an air conditioning inspection report can be requested by a Trading Standards Officer at any time up to six months after the last day for compliance with the obligation to make it available.

The penalty for failing to have an air conditioning inspection report is fixed in the regulations and is currently £300.

Occupiers of a building, where a central air conditioning system is under the control of the building owner or manager, would not be liable for a penalty charge for any breach of the duties.

A further penalty can be issued for failure to provide a Trading Standards Officer with a copy of the air conditioning inspection report within seven days when requested to do so. The penalty is fixed at £200.

If a penalty charge notice is issued, but that person believes it should not have been issued, they can request a review. If that person is not satisfied with the outcome of the review, they may appeal to the county court within 28 days after they are given notice confirming the penalty charge notice by the Local Weights and Measures Authority.

If the building owner or manager wants to sell or let a building with an air conditioning system, which should have been inspected, then it is very likely that the legal advisors of the prospective tenant or buyer will require sight of the air conditioning inspection report during the legal processes prior to sale or let. Failure to have an air conditioning inspection report, where one is required, may have a negative impact on the transaction process.

Annex A: Useful information

Alphabetical list of government approved energy assessor accreditation schemes

Please note that only the accreditation schemes listed below will have accredited energy assessors who are approved to carry out air conditioning inspections.

- Chartered Institution of Building Services Engineers (CIBSE) www.cibse.org (<https://www.cibse.org/>)
- Elmhurst Energy www.elmhurstenergy.co.uk (<https://www.elmhurstenergy.co.uk/>)
- Qidos www.quidos.co.uk (<https://www.quidos.co.uk/>)
- Sterling Accreditation www.sterlingaccreditation.com (<http://www.sterlingaccreditation.com/>)
- Stroma www.stroma.com (<http://www.stroma.com/>)

1. All references to accreditation scheme in this guidance means a government approved air conditioning accreditation scheme.

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