



## Mandatory Air Conditioning Inspection requirements since January 2009 – do you comply?

### *Did you know?*

The person who controls the operation of the system, such as the building owner or manager, has statutory obligations and duties of care in the operation and maintenance of air conditioning systems.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/51121/A\\_guide\\_to\\_air\\_conditioning\\_inspections\\_for\\_buildings.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/51121/A_guide_to_air_conditioning_inspections_for_buildings.pdf)

All air conditioning systems with an effective individual or combined 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 the affected air conditioning systems to be carried out as follows:

- 1. 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**
- 2. 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**
- 3. 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**

Inspection, maintenance and cleaning programs maintain the ability of the system to provide healthy and comfortable environments for building occupants and limiting the escape of refrigerant gases and ensuring the safety of equipment.

### **Why air conditioning inspections are required**

Having an air conditioning system inspected by an accredited air conditioning energy assessor are;

- Resigned to improve efficiency
- Reduce energy consumption
- Operating costs and the carbon emissions of the system.

The energy assessor will highlight improvements to the operation of existing systems or opportunities to replace older, less energy efficient systems or oversized systems with new energy efficient systems.

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### **What can I expect in the report?**

The purpose of the 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 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 made 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 made for improvement.
- The current size of the installed system in relation to the cooling load any suggestions for improvement.
- Summary of the findings and the key recommendations

### **Penalties for not having an air conditioning inspection report**

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.

A copy of an air conditioning inspection report can be requested by an enforcement 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 having an air conditioning inspection report is fixed at £300.**

Tenants 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.

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**A further penalty can be issued for failure to provide a copy of the air conditioning inspection report when requested to an officer of an enforcement authority within seven days. This 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 to the prospective tenant or buyer will require sight of the report during the legal processes prior to exchange of contracts. ***Failure to have a report, where one is required, may have a negative impact on the transaction process.***

## CSR Sustain are industry leaders in providing energy compliance audits and assessments and can cover the following services

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