



## **TM44 Air Conditioning Legislation and Inspections**

### **Deadline for air conditioning Inspections**

All Air Conditioning Inspections should have been completed by January 2011 in England and Wales. If you do not have a report by now you could face a £300 fine on each building that you occupy and control. If you are a tenant in a multi occupier building, control your own system and do not have a report then you need to carry out a TM44 Inspection immediately. The size of the air conditioning system prompts the need for an air conditioning inspection and not the type of building and therefore the measures apply to homes, commercial and public buildings. TM44 legislation also applies to parts of a building if there are separate controls such as a shopping centre.

The inspection will be carried out by an Accredited Assessor will include:

- An assessment of the systems efficiency.
- A review of the air conditioning systems sizing compared to demand.
- Advice on efficiency, improvements, replacements or alternative solutions.
- R22 and other banned gas replacement programmes

### **Which Systems require a TM 44 Air Conditioning Inspection?**

Only air-conditioning systems with an effective rated output of more than 12kw are affected by the EPBD regulations. However this 12kw is counted as the sum of the air-conditioning systems in a building controlled by one person. As an example in a building with three tenants, who each have a single 6kw system. If the tenants are responsible for their own systems (maintenance and control) then no inspection is required. However if the landowner maintains the air conditioning systems then a report would be required.

An air-conditioning system refers to any AC system where refrigeration is used to provide for the comfort cooling of the occupants of the space. Separate refrigeration which is not for the comfort of the occupants such as process applications, Computer servers, cold stores, beer cellars in pubs, refrigerated counters etc. will not need a TM44 report.

### **Complying with Air Conditioning Inspection Regulations**

Trading standards are responsible for enforcing the requirements and they have the authority to issue penalty charge notices for non – compliance and continued non – compliance. Fines are currently £300 per building or space, and can be repeated at the discretion of Trading Standards.

## In Summary

If you control the technical operation of an air conditioning system, are a building manager or owner, you are responsible for obtaining an assessment report.

- With an effective rated output greater than 12Kw inspections should have been completed by 4th January 2011
- With an effective rated output greater than 250Kw, systems should have been inspected by 4th January 2009.
- New systems over 12 kW installed after January 2008 must be inspected within 5 years of being put into service. So, in January 2013 you will need to start having TM44 inspections on all re-fits after January 2008.
- Systems should be inspected every 5 years.
- Be aware of partial re-fit works; if any part of an old a/c system is left in place then the site will require a current air conditioning report.
- If you have just moved into a space or acquired a building with air conditioning, the regulation requires that you must have a valid air conditioning report within three months of occupation.
- From April 2012 all TM44 reports must be lodged onto the Landmark database, this is mandatory. A new, updated TM44 was issued in April 2012; clients are advised that any reports after that date must comply with the new TM44 rules.
- All assessments must be carried out by an accredited Air Conditioning Energy Assessor. Accreditation ensures that the Assessors are professional and competent

## Recommended further reading

Air-conditioning inspections for buildings

[www.gov.uk/government/publications/air-conditioning-inspections-for-buildings](http://www.gov.uk/government/publications/air-conditioning-inspections-for-buildings)

The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007

<http://www.legislation.gov.uk>