

*These notes relate to the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 (asp 10) which received Royal Assent on 18 July 2019*

# **FUEL POVERTY (TARGETS, DEFINITION AND STRATEGY) (SCOTLAND) ACT 2019**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***General***

#### ***Section 16***

73. Section 16 provides the Scottish Ministers with the power, by making regulations, to adjust the effect of aspects of the definition of fuel poverty. This will allow Ministers to respond to changes which may occur during the period between the Act being passed and the date of the 2040 targets. Specifically—
- paragraph (a) allows Ministers to adjust the temperatures and number of hours which constitute the heating levels test (for example, to respond to any change in expert advice as to how warm rooms ought to be),
  - paragraph (b) allows the definitions in section 3(10) to be adjusted (for example, if national insurance contributions were to be replaced with a new tax which needed to be factored into the definition of net income instead),
  - paragraph (c) allows different provision to be made as to when members of a household can maintain an acceptable standard of living (for example, to accommodate the situation discussed at paragraph 23 or to react if the UK minimum income standard stops allocating costs specifically to rent, council tax, water rates, fuel and childcare).