



# Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019

## 2019 asp 10

### *Fuel poverty targets*

#### **5 Meaning of fuel poverty gap**

- (1) Where a household is in fuel poverty, the fuel poverty gap is the figure calculated in accordance with subsection (2) or the figure calculated in accordance with subsection (3), whichever is the lower.
- (2) The first figure referred to in subsection (1) is the difference between—
  - (a) the annual fuel costs necessary for the home in which members of the household live to meet the conditions set out in section 3(2), and
  - (b) 10% of the household's annual adjusted net income.
- (3) The second figure referred to in subsection (1) is the difference between—
  - (a) the annual amount required to maintain an acceptable standard of living for members of the household, and
  - (b) the household's annual remaining adjusted net income for the purpose of section 3(1)(b).
- (4) For the purpose of subsections (1) to (3)—
  - (a) the amount required to maintain an acceptable standard of living is to be determined in the same way as it is for the purpose of section 3,
  - (b) “adjusted”, “household” and “net income” have the same meanings as in section 3(10).
- (5) Where the fuel poverty gap is being measured against a fuel poverty target, the sums referred to in sections 1(2)(c), 2(2)(c) and 2(3)(c) are to be increased or (as the case may be) decreased by the same percentage as the percentage increase or decrease in the annual average consumer prices index over the period from 2015 to the year to which the target relates.
- (6) In subsection (5), the consumer prices index means the all consumer prices index published by the Office of National Statistics.

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**Changes to legislation:** There are currently no known outstanding effects for the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019, Section 5. (See end of Document for details)

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- (7) The Scottish Ministers may by regulations amend this section to replace references to one prices index with references to another.

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**Commencement Information**

**II** [S. 5](#) in force at 19.9.2019 by [S.S.I. 2019/277](#), [reg. 2](#)

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