



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

2019 asp 10

General

16 Power to modify section 3

The Scottish Ministers may by regulations amend section 3 so as to—

- (a) modify the meaning of—
 - (i) requisite temperatures,
 - (ii) requisite number of hours,in subsection (3) of that section,
- (b) modify the definitions for the time being in subsection (10) of that section,
- (c) make different provision as to when a household's remaining adjusted net income is sufficient, or is insufficient, to maintain an acceptable standard of living for members of the household.

Commencement Information

II [S. 16](#) in force at 19.9.2019 by [S.S.I. 2019/277](#), [reg. 2](#)

17 Regulation-making powers

- (1) Regulations under section 1(4), 3(4) or (6)(b), 5(7), 14(7)(a) or (b), 15(5) or 16—
 - (a) are subject to the affirmative procedure,
 - (b) may make—
 - (i) incidental, supplementary, consequential, transitional, transitory or saving provision,
 - (ii) different provision for different purposes.
- (2) Before laying a draft of a Scottish statutory instrument containing regulations under section 3(4) or 16, the Scottish Ministers must consult such persons as they consider appropriate.

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

- (3) The persons consulted under subsection (2) must include individuals who are living, or have lived, in fuel poverty.
- (4) It is immaterial that anything done by way of consultation in relation to regulations under section 3(4) was done—
 - (a) before the Bill for this Act was passed, or
 - (b) after that but before this section comes into force.

Commencement Information

I2 [S. 17](#) in force at 19.9.2019 by [S.S.I. 2019/277](#), [reg. 2](#)

18 Consequential modifications

- (1) The Housing (Scotland) Act 2001 is amended as follows.
- (2) Section 88 (statement on fuel poverty), together with the italic heading preceding it, is repealed.
- (3) In section 89 (local housing strategies), after subsection (11) insert—

“(12) For the purpose of subsection (5)(b), a person lives in fuel poverty if the person is a member of a household which is in fuel poverty for the purposes of the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019.”.
- (4) Section 95 (meaning of “fuel poverty”), together with the italic heading preceding it, is repealed.

Commencement Information

I3 [S. 18\(1\)\(2\)](#) in force at 19.9.2019 by [S.S.I. 2019/277](#), [reg. 2](#)

19 Interpretation

In this Act—

- “the 2040 target” means the target set out in section 1(2),
- “the 2040 target in relation to each local authority area in Scotland” means the target set out in section 1(3),
- “the fuel poverty targets” means the targets set out in sections 1 and 2,
- “the Scottish Fuel Poverty Advisory Panel” means the Panel established under section 14(1).

20 Commencement

- (1) Section 19, this section and section 21 come into force on the day after Royal Assent.
- (2) The other provisions of this Act come into force on such day as the Scottish Ministers may by regulations appoint.
- (3) Regulations under subsection (2) may—
 - (a) make different provision for different purposes,

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

(b) include transitional, transitory or saving provision.

21 Short title

The short title of this Act is the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019.

Changes to legislation:

There are currently no known outstanding effects for the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019, Cross Heading: General.