
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 40

ENERGY CONSERVATION

**The Home Energy Assistance Scheme
(Scotland) Amendment Regulations 2014**

Made - - - - 18th February 2014
*Laid before the Scottish
Parliament* - - - - 20th February 2014
Coming into force - - 1st April 2014

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 15(1), (2)(c) and (9)(b) of the Social Security Act 1990⁽¹⁾ and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Home Energy Assistance Scheme (Scotland) Amendment Regulations 2014 and come into force on 1st April 2014.

Amendment to the Home Energy Assistance Scheme (Scotland) Regulations 2013

2. The Home Energy Assistance Scheme (Scotland) Regulations 2013⁽²⁾ are amended in accordance with regulations 3 and 4.

3. In regulation 4(5) (conditions of grant) for “is” substitute “has been assessed as”.

4. In regulation 6 (persons eligible to apply for grant) after paragraph (9)(f) insert—

“;

(g) universal credit under Part 1 of the Welfare Reform Act 2012⁽³⁾, where in any of the assessment periods for which universal credit is payable in accordance with section 7 of that Act that precede the application for a grant—

(1) 1990 c.27. Section 15 was amended by section 142 of the Housing Grants, Construction and Regeneration Act 1996 (c.53). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The requirement to obtain Treasury consent was removed by section 55 of that Act.
(2) S.S.I. 2013/148, as amended by S.S.I. 2013/253.
(3) 2012 c.5.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) the earned income of the individual to whom universal credit is awarded, or in the case of an award to a couple their combined earned income, does not exceed £1,260, or
- (ii) the award of universal credit includes an amount in respect of a child under section 10 of that Act, an amount in respect of housing costs under section 11 of that Act, or an amount in respect of childcare costs under section 12 of that Act.”.

St Andrew's House,
Edinburgh
18th February 2014

M J BURGESS
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Home Energy Assistance Scheme (Scotland) Regulations 2013 (“the principal Regulations”) which make provision for the making of grants to improve the thermal insulation and energy efficiency of dwellings and to provide advice to reduce or prevent the wastage of energy in a dwelling.

Regulation 3 amends a provision of the principal Regulations that prevents a grant from being made to a person who is eligible for assistance under a scheme run by the UK Government. The amendment removes a requirement to check eligibility for such assistance in all cases, instead only preventing a grant from being made under the principal Regulations where the applicant has already been assessed as eligible for assistance under the UK Government scheme.

Regulation 4 amends the principal Regulations to provide for the introduction of universal credit. A person will be eligible to apply for a grant if, in addition to meeting other criteria in the principal Regulations, the person is in receipt of universal credit or lives with a person in receipt of universal credit. However, the person in receipt of universal credit must also either satisfy an income threshold or be in receipt of amounts in respect of specified criteria in their universal credit award.