
WELSH STATUTORY INSTRUMENTS

2010 No. 453

**The Home Energy Efficiency Schemes
(Wales) (Amendment) Regulations 2010**

Title commencement, application and interpretation

1.—(1) The title of these Regulations is the Home Energy Efficiency Schemes (Wales) (Amendment) Regulations 2010.

(2) These Regulations come into force on 22 March 2010 and apply in relation to Wales.

(3) In these Regulations, “the principal Regulations” (“*y prif Reoliadau*”) means the Home Energy Efficiency Schemes (Wales) Regulations 2007(1).

Amendment of the principal Regulations

2. The principal Regulations are amended in accordance with regulations 3 to 7.

Amendment of regulation 2 (interpretation)

3.—(1) In regulation 2 omit the definition of “HEES” and the definition of “HEES Plus”.

(2) In regulation 2, in the appropriate places, insert the following definitions—

““the 2007 Regulations” (“*Rheoliadau 2007*”) means the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 (S.I. 2007 No. 991);”;

““asset rating” (“*cyfraddiad ased*”) has the meaning given in regulation 2(1) of the 2007 Regulations;”.

Addition of new regulation 2A

4. After regulation 2 insert—

2A Meaning of “HEES” and “HEES Plus”

(1) Subject to paragraph (3), “HEES” (“*HEES*”) means the provision of works described in regulation 6(1)(a) to (h).

(2) Subject to paragraph (3), “HEES Plus” (“*HEES a Mwy*”) means the provision of works described in regulation 6(1)(a) to (l).

(3) In the case of a dwelling—

(a) which is privately owned or privately rented; and

(b) in respect of which the area agency is satisfied that the asset rating is 38 or less,

“HEES” (“*HEES*”) means the provision of works described in regulation 6(1); and “HEES Plus” (“*HEES a Mwy*”) means the provision of works described in regulation 6(1).

Amendment of regulation 5 (persons who may apply for a grant)

- 5.—(1) In regulation 5(1)(c) and (d), for “£15,460” substitute “£16,040”.
- (2) For regulation 5(4)(d) substitute—
- (d) a war disablement pension as defined by section 159B(6) of the Social Security Administration Act 1992 or a pension for disablement under Part II of the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006, or any award of war disablement pension which continues to have effect by virtue of Schedule 4, paragraph 8 to that Order, together with—
- (i) a mobility supplement under article 20 of the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006 (including such a supplement payable by virtue of the application of that article by any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 (including that article as applied by article 48A of that Scheme), or a payment intended to compensate for the non payment of such a supplement; or
- (ii) a payment under regulations made under paragraph 7(2)(b) of Schedule 8 to the 1992 Act (constant attendance allowance).

Amendment of regulation 6 (purposes for which a grant may be approved)

- 6.—(1) In regulation 6(1)—
- (a) at the end of sub-paragraph (m), for “.”, substitute “;”.
- (b) after sub-paragraph (m) insert—
- (n) to provide solid wall insulation.
- (2) In regulation 6(2)—
- (a) at the end of sub-paragraph (b), for “.”, substitute “;”;
- (b) after sub-paragraph (b) insert—
- “(c) such minor works for the purposes of—
- (a) improving the thermal insulation of a dwelling; or
- (b) otherwise reducing or preventing the wastage of energy in a dwelling,
- as the area agency considers in any particular case to be practicable, cost-effective and reasonable in the circumstances.”.

Amendment of regulation 7 (maximum amount of grant)

- 7.—(1) In regulation 7(1) for “An area agency may”, substitute—
- “Subject to paragraph (1A), an area agency may”.
- (2) After regulation 7(1) insert—
- “(1A) In the case of a works application under HEES or HEES Plus which relates to a dwelling of the type described in regulation 2A(3), the maximum amount of grant which may be made in respect of any one such dwelling is £12,000.”.
- (3) In regulation 7(3) for “paragraphs (1) and (2)” substitute “paragraphs (1) to (2)”.

Transitional provision

8. The amendments made by these Regulations apply to a works application made before the date on which these Regulations come into force, where the decision to approve or reject that application falls to be made after that date.

24 February 2010

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Housing, one of the Welsh Ministers