

2003 No. 385

ENERGY CONSERVATION

**The Domestic Energy Efficiency Grants (Amendment)
Regulations (Northern Ireland) 2003**

Made - - - - - *20th August 2003*

Coming into operation *15th September 2003*

The Department for Social Development(**a**), in exercise of the powers conferred by Article 17(1), (2) and (4) of the Social Security (Northern Ireland) Order 1990(**b**), and now vested in it(**c**), and of every other power enabling it in that behalf, and with the consent of the Department of Finance and Personnel, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Domestic Energy Efficiency Grants (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 15th September 2003.

Amendments

2. The Domestic Energy Efficiency Grants Regulations (Northern Ireland) 2002(**d**) are amended in accordance with regulations 3 and 4.

3.—(1) In paragraph (1) of regulation 4 (persons who may apply for a grant) –

(a) omit “or” at the end of sub-paragraph (a); and

(b) after sub-paragraph (b) insert –

“(c) is, or is living with a spouse who is, in receipt of a benefit to which paragraph (3) applies, and who is, or is living with a spouse who is, a pregnant woman in respect of whom a maternity certificate (which certificate(**e**) is provided for in regulation 2(3) of the Social Security (Medical Evidence) Regulations (Northern Ireland) 1976(**f**) and regulation 2 of the Statutory Maternity Pay (Medical Evidence) Regulations (Northern Ireland) 1987(**g**)) has been given in relation to the pregnancy concerned; or

(d) is in receipt of child tax credit(**h**) and has a relevant income of less than £14,200; and for those purposes, “relevant income” has the same meaning as in Part 1 of the Tax Credits Act 2002.”.

(a) S.I. 1999/283 (N.I. 1) Article 3(1)

(b) S.I. 1990/1511 (N.I. 15) Article 17 was amended by S.I. 1996/2879 (N.I. 21), Article 3

(c) See S.R. 1997 No. 391 and S.R. 1999 No. 481, Article 6(c) and Schedule 4 Part V

(d) S.R. 2002 No. 56

(e) Form MATB1, at the time of making these Regulations

(f) S.R. 1976 No. 175; relevant amendments were made by S.R. 1987 No. 117 and S.R. 2001 No. 308

(g) S.R. 1987 No. 99; relevant amendments were made by S.R. No. 488 and S.R. 2001 No. 308

(h) Child tax credit and working tax credit as provided for in Parts 1 and 3 of the Tax Credits Act 2002 (c. 21)

(2) In sub-paragraph (b) of paragraph (4) of regulation 4 omit the words “working families tax credit (in respect of a family with a child under the age of 16) and disabled person’s tax credit (each as provided for in Part VII of the 1992 Act)”.

4. In paragraph (2) of regulation 5 (Purposes for which grant may be approved) –
- (a) in sub-paragraph (g) after “heating system” insert “(including systems which generate electricity)”; and
 - (b) at the end of sub-paragraph (i) add the following sub-paragraph –
 - “(j) to provide space or water heating systems which use energy from renewable sources including ground and air heat.”.

Sealed with the Official Seal of the Department for Social Development on 20th August 2003.

(L.S.)

D. M. Crothers

A senior officer of the Department for Social Development

The Department of Finance and Personnel hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 22nd August 2003.

(L.S.)

L. Wilson

A senior officer of the Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Regulations.)

The Domestic Energy Efficiency Grants Regulations (Northern Ireland) 2002 (“the 2002 Regulations”) enable the Department for Social Development to make or arrange for the making of grant for the improvement of energy efficiency in dwellings occupied by persons on low incomes with children, elderly persons on low incomes and persons in receipt of benefit relating to ill health or disability. These Regulations amend the 2002 Regulations as follows:

The list of persons in regulation 4 of the 2002 Regulations who may apply for a grant is amended to include:

A person who is, or who is living with a spouse who is, in receipt of one of certain specified benefits, and who is, or who is living with a spouse who is, a person in respect of whom a maternity certificate has been given. By virtue of regulation 3(1) of these Regulations such a woman must still be pregnant at the time the application for a grant is made and the certificate must have been granted in respect of the pregnancy concerned.

Any person who is in receipt of child tax credit or working tax credit (provided for by the Tax Credits Act 2002) and has a relevant income of less than £14,200. (regulation 3(1)(b)).

Regulation 3(2) removes references to working families tax credit and disabled persons tax credit.

The list of purposes in Regulation 5 of the 2002 Regulations for which a grant may be approved is extended to include new types of space and water heating systems (including those based on renewable forms of energy) (regulation 4).

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