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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 529**

**ENERGY CONSERVATION**

**The Home Energy Efficiency Scheme  
Amendment (No. 2) (Scotland) Regulations 2003**

*Made* - - - - 7th November 2003  
*Laid before the Scottish  
Parliament* - - - - 7th November 2003  
*Coming into force* - - 1st December 2003

The Scottish Ministers in exercise of the powers conferred by section 15 of the Social Security Act 1990<sup>(1)</sup>, and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Home Energy Efficiency Scheme Amendment (No. 2) (Scotland) Regulations 2003 and shall come into force on 1st December 2003.

(2) These Regulations extend to Scotland only.

**Amendment of the Home Energy Efficiency Scheme Regulations 1997**

2. The Home Energy Efficiency Scheme Regulations 1997<sup>(2)</sup> are amended as follows—

(a) in regulation 2, after the definition of “registered installer”, insert—

““state pension credit” means state pension credit under the State Pension Credit Act 2002<sup>(3)</sup>”;

(b) for regulation 4(1)(c), substitute—

“(c) is, or is living with a spouse who is, in receipt of state pension credit”;

(c) in regulation 4(2)(b), delete “disabled persons' tax credit”.

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(1) 1990 c. 27; section 15 was amended by the Housing Grant, Construction and Regulation Act 1996 (c. 53), section 142. 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.I. 1997/790 as amended by S.I. 1999/1018 and S.S.I. 2001/267 and 2003/284.

(3) 2002 c. 16.

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**Status:** *This is the original version (as it was originally made).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

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St Andrew's House, Edinburgh  
7th November 2003

*MARY MULLIGAN*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These regulations amend the Home Energy Efficiency Scheme Regulations 1997 (S.I.1997/790) (“the 1997 Regulations”) which provide for the making of grants for the improvement of energy efficiency in dwellings occupied by persons on low income or elderly persons. The Regulations amend the 1997 Regulations as regards Scotland only.

Regulation 2 amends—

- (a) regulation 2 of the 1997 Regulations (interpretation) so as to include a definition for state pension credit;
- (b) regulation 4 of the 1997 Regulations (person who may apply for grant) so as to—
  - (i) remove the reference to a pregnant women as a person who is, or lives with a spouse who is, in receipt of benefits in terms of regulation 4(2), as she or her spouse are already eligible to apply without the need for a maternity certificate by virtue of regulation 4(1)(b);
  - (ii) add to those persons who may apply for a grant by including those who are, or who are living with a spouse who is, in receipt of state pension credit;
  - (iii) delete reference to “disabled persons' tax credit”.