

**EXECUTIVE NOTE TO**  
**THE HOME ENERGY ASSISTANCE SCHEME (SCOTLAND) AMENDMENT**  
**REGULATIONS 2010**

**S.S.I 2010/110**

The above instrument was made in exercise of the powers conferred by section 15 of the Social Security Act 1990. The instrument is subject to negative resolution procedure.

**Policy Objectives**

The instrument has two main purposes.

Firstly, it extends eligibility for the scheme to applicants who are in receipt of a qualifying benefit and who have a child under the age of 16 living with them in an energy inefficient dwelling. This will allow more households to qualify as previously applicants with a child between the ages of 5 and 16 were eligible only if the child had been awarded a disability living allowance.

Secondly, it extends the qualifying benefits to include child tax credit where the applicant is in receipt of more than the family element. This allows more, and larger, families to qualify for the scheme.

The amendment also ensures that, in changing the regulations in relation to child tax credit, those who qualify on the basis of working tax credit continue to be eligible and sets the relevant income for these applicants at no more than £18,165.

**Consultation**

Following publication of the Scottish Government's review of fuel poverty in May 2008, the Fuel Poverty Forum was re-established to advise on the future of fuel poverty policy in Scotland. It produced its report in October 2008, the main recommendation of which was to replace the Warm Deal and Central Heating Programmes with a new Energy Assistance Package. The Forum was then given the remit of monitoring the implementation of the Energy Assistance Package. The changes to the package contained in this instrument reflect recommendations made to Ministers by the Forum in December 2009.

**Financial Effects**

The instrument has no financial effects on the Scottish Executive, local government or on business. A Regulatory Impact Assessment has not been completed.

Scottish Executive Housing Access and Support

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