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STATUTORY INSTRUMENTS

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**2002 No. 115**

**ENERGY CONSERVATION, ENGLAND**

**The Home Energy Efficiency Scheme  
(England) (Amendment) Regulations 2002**

*Made* - - - - *21st January 2002*  
*Laid before Parliament* *25th January 2002*  
*Coming into force* - - *15th February 2002*

The Secretary of State for Environment, Food and Rural Affairs, in exercise of the powers conferred upon her by section 15 of the Social Security Act 1990(1) and with the consent of the Treasury, hereby makes the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Home Energy Efficiency Scheme (England) (Amendment) Regulations 2002 and shall come into force on 15th February 2002.

(2) These Regulations extend to England only.

**Amendment to principal Regulations**

2. The Home Energy Efficiency Scheme (England) Regulations 2000(2) are amended in accordance with the following provisions of these Regulations.

**Persons who may apply for a grant**

3. In regulation 4 (persons who may apply for a grant)—

(a) in paragraph (1), after sub-paragraph (c), add the following sub-paragraph—

“(d) is, or is living with a spouse who is, in receipt of a benefit to which paragraph (2) applies, and who is, or is living with a spouse who is, a person in respect of whom a maternity certificate (as provided for in regulation 2 of

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(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 under section 15 are, so far as exercisable in or as regards Scotland, devolved to the Scottish Ministers by virtue of section 53 of the Scotland Act 1988 (c. 46). As regards Wales, those functions are exercisable by the National Assembly for Wales concurrently with the Secretary of State; see the reference to the Social Security Act 1990 in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(2) S.I. 2000/1280.

the Social Security (Medical Evidence) Regulations 1976<sup>(3)</sup> and regulation 2 of the Statutory Maternity Pay (Medical Evidence) Regulations 1987<sup>(4)</sup> has been given.”;

- (b) in paragraph (2) after the words “housing benefit” insert the words “, working families tax credit”; and
- (c) in paragraph (3)(b) omit the words “working families tax credit” and the word “each”.

#### **Purposes for which grant may be approved**

- 4. In regulation 5(1) (purposes for which grant may be approved)—
  - (a) in sub-paragraph (g) for the words “foam insulated” substitute the words “factory-insulated”;
  - (b) in sub-paragraph (j) after the words “heating system” insert the words “(including systems which generate electricity)”;
  - (c) at the end of sub-paragraph (l) add the following sub-paragraph—
    - “(m) to provide space or water heating systems which use energy from renewable sources including solar, wind and hydro-electric power and near renewable resources including ground and air heat.”.

#### **Grant maximums**

- 5. In regulation 6 (grant maximums)—
  - (a) in paragraph (1) for “£1,000” substitute “£1,500”; and
  - (b) in paragraph (3) for “£2,000” substitute “£2,500”.

Signed by authority of the Secretary of State

*Michael Meacher*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

11th January 2002

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<sup>(3)</sup> S.I. 1976/615 amended by S.I. 1987/409 and 2001/2931.  
<sup>(4)</sup> S.I. 1987/235 amended by S.I. 2001/2931.

We consent,

21st January 2002

*Anne McGuire*  
*Nick Ainger*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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## EXPLANATORY NOTE

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

1. The Home Energy Efficiency Scheme (England) Regulations 2000 (S.I.2000/1280) enable the Secretary of State 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 or persons in receipt of benefit relating to ill health. These Regulations amend the 2000 Regulations. In addition to minor and drafting amendments the following changes of substance are made.

2. The list of persons in regulation 4 who may apply for a grant is amended to include women who are in receipt of a maternity certificate as well as certain benefits and the spouses of such women. It is also amended to alter the circumstances in which those who receive working families' tax credit are entitled to apply (*regulation 3*).

3. The list of purposes in regulation 5 for which 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*).

4. The maximum amount of grant payable, set out in regulation 6, is raised from £1,000 and £2,000 respectively to £1,500 and £2,500 respectively (*regulation 5*).