

2003 No. 1017

ENERGY CONSERVATION, ENGLAND

**The Home Energy Efficiency Scheme (England)
(Amendment) Regulations 2003**

Made - - - - - *4th April 2003*

Laid before Parliament *4th April 2003*

Coming into force *25th April 2003*

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

Citation, commencement and application

1.—(1) These Regulations may be cited as the Home Energy Efficiency Scheme (England) (Amendment) Regulations 2003 and shall come into force on 25th April 2003.

(2) These Regulations apply to England only.

Amendment of the Home Energy Efficiency Scheme (England) Regulations 2000

2.—(1) The Home Energy Efficiency Scheme (England) Regulations 2000(b) are amended as follows.

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

(a) there is omitted in each case the word “or” following each of sub-paragraphs (a) and (b);

(b) for sub-paragraph (d) there is substituted—

“(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 pregnant woman in respect of whom a maternity certificate (which certificate(c) is provided for in regulation 2(3) of the Social Security (Medical Evidence) Regulations 1976(d) and regulation 2 of the Statutory Maternity Pay (Medical Evidence) Regulations 1987(e) has been given in relation to the pregnancy concerned;
or

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

(a) 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 1998 (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).

(b) S.I. 2000/1280; amended by S.I. 2002/115.

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

(d) S.I. 1976/615; relevant amendments were made by S.I. 1987/409 and 2001/2931.

(e) S.I. 1987/235; relevant amendments were made by S.I. 1991/2284, 2001/2931 and 2002/881.

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

(3) In paragraphs (1) and (2) of regulation 6 (grant maximums) for “regulation 4(1)(a) or (b)” there is substituted in each case “regulation 4(1)(a), (b), (d) or (e)”.

2nd April 2003

Whitty
Parliamentary Under Secretary of State,
Department for Environment,
Food and Rural Affairs

We consent,

4th April 2003

Philip Woolas
John Heppell
Two of the Lords Commissioners
of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Home Energy Efficiency Scheme (England) Regulations 2000 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 and persons in receipt of benefit relating to ill health or disability. These Regulations amend the 2000 Regulations as follows.

Regulation 2(2) alters the list of persons eligible to apply for a grant to include 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 2(3) sets the amount of the maximum grant payable to such applicants.

In addition these Regulations seek to address defects in the drafting of the Home Energy Efficiency Scheme (England) (Amendment) Regulations 2002, which had amended the 2000 Regulations. Regulation 3(a) of the 2002 Regulations added to the list of persons eligible to apply for a grant, 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 2(2) 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. Regulation 2(3) sets the amount of the maximum grant payable in such cases.

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