
STATUTORY INSTRUMENTS

2011 No. 1033

The Warm Home Discount Regulations 2011

PART 2

The Scheme

Name and duration of scheme

3.—(1) These Regulations establish a scheme for reducing fuel poverty, to be known as the Warm Home Discount scheme.

(2) The scheme has effect during the period from the commencement date to 31st March 2015 (“the scheme period”).

(3) The following duties and powers continue to apply after the end of the scheme period—

- (a) the duties of scheme suppliers under regulations 9(5) and (6), 24(2) and 30(3) and Part 1 of Schedule 3;
- (b) the duty of the Secretary of State under regulation 10;
- (c) the duties of the Authority under regulations 23 and 29 and Part 2 of Schedule 3; and
- (d) the powers of the Authority under regulations 24(3) and 30(1) and (2).

Notification by suppliers

4.—(1) Paragraph (2) applies to every—

- (a) licensed electricity supplier; and
- (b) licensed gas supplier which is connected to a licensed electricity supplier.

(2) A supplier to which this paragraph applies must notify the Authority by—

- (a) 14 days after the commencement date; and
- (b) 14th February in each of the years 2012, 2013 and 2014,

of the number of that supplier’s domestic customers on the preceding 31st December.

(3) If, before the commencement of these Regulations, a supplier has notified the Authority of the number of that supplier’s domestic customers on 31st December 2010, the Authority shall treat that as the supplier’s notification for the purposes of paragraph (2)(a).

(4) If a supplier does not notify the Authority in accordance with paragraph (2), the Authority shall determine the number of that supplier’s domestic customers on the preceding 31st December.

(5) For the purposes of this regulation, a supplier’s number of domestic customers is the number of domestic customers to whom it supplies—

- (a) electricity (other than as part of a supply of dual fuel);
- (b) gas (other than as part of a supply of dual fuel); or
- (c) dual fuel,

with a supply of dual fuel being treated as a supply to two domestic customers.

(6) For the purposes of the following regulations, a supplier's number of domestic customers is the number notified or determined under this regulation.

Scheme suppliers

5.—(1) In relation to any scheme year, a person is a compulsory scheme electricity supplier if—

(a) that person—

(i) is a licensed electricity supplier; and

(ii) supplied electricity to domestic customers on the 31st December preceding the start of the scheme year; and

(b) one of the following conditions is satisfied.

(2) Condition 1 is that the supplier had at least 250,000 domestic customers on the 31st December preceding the start of the scheme year.

(3) Condition 2 is that—

(a) the supplier; and

(b) any licensed electricity suppliers and licensed gas suppliers which were connected to it on the 31st December preceding the start of the scheme year,

together had at least 250,000 domestic customers on that date.

(4) In relation to any scheme year, a licensed electricity supplier which is not a compulsory scheme electricity supplier is a voluntary scheme electricity supplier if the supplier gives notice to the Authority—

(a) in relation to scheme year 1, by 14 days after the commencement date;

(b) in relation to scheme years 2, 3 and 4, by 14th February preceding the start of the scheme year,

that the supplier wishes Part 3 of these Regulations to apply to it.

(5) In relation to any scheme year, a person is a scheme gas supplier if that person—

(a) is a licensed gas supplier;

(b) supplied gas to domestic customers on the 31st December preceding the start of the scheme year; and

(c) was, on the 31st December preceding the start of the scheme year, connected to a licensed electricity supplier which in the scheme year is a scheme electricity supplier.