
STATUTORY INSTRUMENTS

2011 No. 1033

The Warm Home Discount Regulations 2011

PART 3

The core group

Determination of scheme customers by the Secretary of State

6.—(1) The Secretary of State may in any scheme year give one or more notices to a scheme electricity supplier specifying persons to whom, subject to regulations 7 and 8, the supplier must provide the prescribed rebate.

(2) A person may not be specified in a notice unless it appears to the Secretary of State that—

- (a) the person is a domestic customer of the scheme electricity supplier; and
- (b) the person, or the person's partner, is in receipt of state pension credit.

(3) A notice containing information relating to state pension credit recipients may only be given if—

- (a) the information is given with the consent of the persons to whom it relates; or
- (b) regulations are in force under section 142 of the Pensions Act 2008 (disclosure of information relating to state pension credit recipients)⁽¹⁾, and those regulations authorise the Secretary of State to provide an electricity supplier with the information about state pension credit recipients contained in the notice.

(4) In scheme year 4, a notice may not be given after 1st March 2015.

Provision of rebate to core group customers

7.—(1) A scheme electricity supplier which is given a notice under regulation 6(1) must, subject to regulation 8, provide the prescribed rebate in accordance with this regulation to each person specified in the notice who—

- (a) is a domestic customer of the supplier; or
- (b) has previously been a domestic customer of the supplier, if during the scheme year in which the notice is given the supplier has informed the Secretary of State that the person is a domestic customer of the supplier.

(2) A “core group customer”, in relation to a scheme electricity supplier, is a person specified in a notice given to that supplier under regulation 6(1) who falls within sub-paragraph (a) or (b) of paragraph (1).

(3) A scheme electricity supplier must provide the prescribed rebate to a core group customer by—

- (a) crediting to the customer's electricity account an amount as a result of which the amount (including Value Added Tax) charged to the customer is reduced by the amount of the prescribed rebate;
 - (b) tendering payment of the amount of the prescribed rebate to the customer; or
 - (c) providing a customer who pre-pays for electricity with credit in the amount of the prescribed rebate against the cost (including Value Added Tax) of future electricity use.
- (4) The date on which the prescribed rebate is provided to a core group customer is the date on which the scheme electricity supplier complies with paragraph (3).
- (5) A scheme electricity supplier which provides the prescribed rebate to a core group customer must—
- (a) specify on the customer's bill; or
 - (b) otherwise notify the customer in writing,
- that the customer has been given a rebate under the Warm Home Discount scheme.
- (6) If a notice under regulation 6(1) is given to a scheme electricity supplier on or before 1st March in a scheme year, the scheme electricity supplier must provide the prescribed rebate to the core group customers specified in the notice by 31st March in that scheme year.
- (7) If a notice is given after 1st March in a scheme year—
- (a) the scheme electricity supplier must provide the prescribed rebate to the core group customers specified in the notice within 30 days; and
 - (b) the prescribed rebate is to be treated as being provided in the scheme year in which the notice is given.

Exceptions

8. If the Secretary of State is satisfied that there are circumstances in which it would not be reasonably practicable for scheme electricity suppliers to provide the prescribed rebate to core group customers, the Secretary of State may determine that regulation 7 does not apply in those circumstances.

Provision of information by suppliers

9.—(1) Subject to paragraphs (2) and (3), the Secretary of State may direct scheme electricity suppliers to provide information to the Secretary of State about their domestic customers for the purpose of facilitating the exercise of the power in regulation 6(1).

- (2) If a direction is given, it—
 - (a) must be given to all scheme electricity suppliers;
 - (b) must specify the information to be provided;
 - (c) may specify a date on which, or by which, the information is to be provided;
 - (d) may specify the form in which the information is to be provided.
- (3) A direction may only be given if—
 - (a) regulations are in force under section 142 of the Pensions Act 2008; and
 - (b) those regulations authorise electricity suppliers to disclose to the Secretary of State the information about customers specified in the direction.
- (4) A scheme electricity supplier must comply with a direction under paragraph (1).

(5) If a notice given to a scheme electricity supplier under regulation 6(1) specifies a person who is not a core group customer, or whom the supplier is unable to identify as a core group customer, the supplier must notify the Secretary of State within 30 days after receiving the notice.

(6) If, in relation to a scheme year, a scheme electricity supplier does not provide the prescribed rebate to one or more core group customers, the supplier must notify the Authority of—

- (a) the number of core group customers to whom the supplier has not provided the prescribed rebate;
- (b) the reasons why the supplier has not provided the prescribed rebate to those persons; and
- (c) any steps taken by the supplier to attempt to provide the prescribed rebate to those persons.

Provision of information by the Secretary of State

10. The Secretary of State must, in respect of each scheme electricity supplier, notify the Authority as soon as reasonably practicable after the end of each scheme year of—

- (a) the number of persons specified in notices given to that supplier under regulation 6(1) during the scheme year; and
- (b) the number of those persons in respect of which the supplier has given a notification under regulation 9(5).

Part 3: Interpretation

11. References in this Part to the Secretary of State, except in regulation 8 and the first reference in regulation 9(1), include a person providing services to the Secretary of State.