



# Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019

## 2019 asp 10

### *Fuel poverty strategy*

#### **6 Preparation and review of strategy**

- (1) The Scottish Ministers must prepare a fuel poverty strategy.
- (2) The fuel poverty strategy must—
  - (a) set out the approach the Scottish Ministers intend to take or consider should be taken to ensure that the fuel poverty targets are met,
  - (b) set out the approach the Scottish Ministers intend to take in relation to each of the four drivers of fuel poverty to ensure that the fuel poverty targets are met,
  - (c) set out the approach the Scottish Ministers intend to take or consider should be taken towards meeting the fuel poverty targets in each local authority area,
  - (d) set out the cost of the approach set out under subsection (2)(a),
  - (e) set out organisations, or types of organisations, with which the Scottish Ministers intend to work to ensure that the fuel poverty targets are met,
  - (f) set out how the Scottish Ministers intend to identify households in fuel poverty,
  - (g) identify characteristics of households which—
    - (i) are likely to be in fuel poverty, or
    - (ii) for which getting out of fuel poverty presents particular challenges,
  - (h) set out the approach the Scottish Ministers intend to take to identifying residential buildings—
    - (i) which are used as homes by a household in fuel poverty,
    - (ii) where improvements would be required to achieve, by 2030, an energy performance certificate band C or higher (within the meaning of the Energy Performance of Buildings (Scotland) Regulations 2008), and
    - (iii) where it is technically feasible, cost effective and affordable to achieve an energy performance certificate band C or higher, and
  - (i) set out how the Scottish Ministers intend to assess—
    - (i) progress towards meeting the fuel poverty targets, and

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**Changes to legislation:** There are currently no known outstanding effects for the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019, Cross Heading: Fuel poverty strategy. (See end of Document for details)

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- (ii) whether the fuel poverty targets are met.
- (3) The approach set out under subsection (2)(a) must include provision for how to remove low levels of energy efficiency as a driver of fuel poverty.
- (4) The fuel poverty strategy may include such other information as the Scottish Ministers consider appropriate.
- (5) The Scottish Ministers are to keep the fuel poverty strategy under review and may at any time revise it.
- (6) Unless the context requires otherwise, a reference in this Act to the fuel poverty strategy includes a reference to the fuel poverty strategy as revised following a review under subsection (5).
- (7) Within 5 years after publishing the fuel poverty strategy under section 8(1)(a), the Scottish Ministers are either—
  - (a) to revise the strategy, or
  - (b) to publish an explanation of why they have decided not to revise it.
- (8) For the purposes of subsection (2)(b), “four drivers of fuel poverty” has the same meaning as in section 14(10).

**Commencement Information**

**II** S. 6 in force at 19.9.2019 by S.S.I. 2019/277, reg. 2

**7 Consultation on strategy**

- (1) In preparing the fuel poverty strategy, the Scottish Ministers must consult such persons as they consider appropriate.
- (2) The persons consulted under subsection (1) must include—
  - (a) individuals who are living, or have lived, in fuel poverty,
  - (b) local authorities,
  - (c) disabled people,
  - (d) people with long-term illness,
  - (e) older people,
  - (f) individuals living in rural areas, and
  - (g) the Scottish Fuel Poverty Advisory Panel.
- (3) For the purpose of subsection (1), it is immaterial that anything done by way of consultation was done—
  - (a) before the Bill for this Act was passed, or
  - (b) after that but before this section comes into force.
- (4) The Scottish Ministers must lay the proposed fuel poverty strategy before the Scottish Parliament—
  - (a) in the case of the first strategy, before the expiry of the period of 1 year beginning with the day on which section 6 comes into force,
  - (b) in the case of a revised strategy, following a review under section 6(5).

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- (5) The Scottish Ministers may not complete their preparation of the fuel poverty strategy until after the expiry of the period of 40 days beginning with the day on which the proposed strategy is laid before the Scottish Parliament (taking no account of any time during which the Parliament is dissolved or in recess for more than 4 days).

**Commencement Information**

**I2** S. 7(1)(2)(a)-(f)(3)-(5) in force at 19.9.2019 by [S.S.I. 2019/277](#), [reg. 2](#)

**8 Publication and laying of strategy**

- (1) As soon as reasonably practicable after the end of the period mentioned in section 7(5), the Scottish Ministers must—
- (a) publish the fuel poverty strategy, and
  - (b) lay a copy of it before the Scottish Parliament.
- (2) As soon as reasonably practicable after complying with subsection (1), the Scottish Ministers must—
- (a) publish a report setting out—
    - (i) the consultation process taken in order to comply with section 7, and
    - (ii) the ways in which views expressed during that process have been taken account of in preparing the fuel poverty strategy,
  - (b) lay a copy of the report published under paragraph (a) before the Scottish Parliament, and
  - (c) make a statement to the Scottish Parliament in relation to the fuel poverty strategy.

**Commencement Information**

**I3** S. 8 in force at 19.9.2019 by [S.S.I. 2019/277](#), [reg. 2](#)

**Changes to legislation:**

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