
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Electricity and Gas (Energy Companies
Obligation) (Amendment) Order 2014**

Amendments to Schedule 1

- 9.—(1) In paragraph 1 of Schedule 1 (affordable warmth eligibility)—
- (a) in sub-paragraphs (b)(ii), (c)(i), (d)(i) and (f)(i), for “has parental responsibility” substitute “is responsible”;
 - (b) at the end of sub-paragraph (e), omit “or”;
 - (c) in sub-paragraph (f)(ii), for “disabled worker element” substitute “disability”; and
 - (d) after sub-paragraph (f)(iii), insert—
 - “; or
 - (g) universal credit⁽¹⁾ and the condition as to earned income in paragraph 3 is met and—
 - (i) is responsible for a child or qualifying young person as determined under regulation 4 of the Universal Credit Regulations 2013⁽²⁾; or
 - (ii) has limited capability for work, or limited capability for work and work-related activity, as determined under Part 5 of the Universal Credit Regulations 2013; or
 - (iii) is in receipt of a disability living allowance under section 71 of the Social Security Contributions and Benefits Act 1992⁽³⁾; or
 - (iv) is in receipt of a personal independence payment under Part 4 of the Welfare Reform Act 2012⁽⁴⁾.”
- (2) In paragraph 2 of Schedule 1 (affordable warmth eligibility)—
- (a) for sub-paragraph (a)(ii) substitute—
 - “(ii) is—
 - (aa) 16 or over but under the age of 20; and
 - (bb) in full-time education (other than higher education within the meaning of section 579(1) of the Education Act 1996⁽⁵⁾) or approved training (as defined in regulation 2 of the Child Tax Credit Regulations 2002⁽⁶⁾);”;
 - (b) for sub-paragraph (c) substitute—

(1) Universal credit is provided for in Part 1 of the Welfare Reform Act 2012 (c.5).
(2) S.I. 2013/376. Regulation 4 was amended by S.I. 2013/1508, regulation 3.
(3) 1992 c.4. Section 71 was amended by section 67 of the Welfare Reform and Pensions Act 1999 (c.30). Section 71 is repealed by section 90 of the Welfare Reform Act 2012 (c.5), but this repeal has not yet come into force.
(4) 2012 c.5.
(5) 1996 c.56.
(6) S.I. 2002/2007. The definition of “approved training” was inserted by the Child Tax Credit (Amendment) Regulations 2006 (S.I. 2006/222).

“(c) whether a person is responsible for a qualifying child is to be determined in accordance with regulation 3 of the Child Tax Credit Regulations 2002.”.

(3) After paragraph 2 of Schedule 1 (affordable warmth eligibility), insert—

“3.—(1) Where the award of universal credit is—

- (a) to a single claimant, the condition as to earned income is that, in any of the twelve preceding assessment periods, the claimant has received earned income which does not exceed £1,167; or
- (b) to joint claimants, the condition as to earned income is that, in any of the twelve preceding assessment periods, the combined earned income received by the claimants does not exceed £1,167.

(2) In this paragraph—

- (a) “assessment period”;
- (b) “earned income”;
- (c) “joint claimants”; and
- (d) “single claimant”.

are to be interpreted in accordance with the Welfare Reform Act 2012 and any subordinate legislation made under that Act.”.