

# **FUEL POVERTY (TARGETS, DEFINITION AND STRATEGY) (SCOTLAND) ACT 2019**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***The 2040 targets***

##### ***Section 1***

4. Section 1 sets out the 2040 targets. Subsection (2) sets out the target relating to the eradication of fuel poverty. The target is that by the year 2040, as far as reasonably possible no household in Scotland is in fuel poverty and that, in any event, the following objectives are met—
  - no more than 5% of households in Scotland are in fuel poverty.
  - no more than 1% of households in Scotland are in extreme fuel poverty,
  - the median fuel poverty gap of households in Scotland that are in fuel poverty is no more than £250 (adjusted in accordance with section 5(5) to take account of inflation or deflation).
5. Subsection (3) sets out the target in relation to each local authority area. The percentages and sums are the same, but these will be measured by reference to the households in a local authority area rather than across Scotland as a whole. The term “local authority area” is defined in schedule 1 of the Interpretation and Legislative Reform (Scotland) Act 2010 as the local government area for which the authority is constituted.
6. Subsection (4) allows the Scottish Ministers to change the target year for either or both of the 2040 targets if they receive a report from the Scottish Fuel Poverty Advisory Panel which advises that the target is not going to be met or could reasonably be met earlier. The Scottish Fuel Poverty Advisory Panel is established under section 14 of the Act. Any change to the target year would be made by regulations and, in terms of subsection (5), those regulations could also make necessary adjustments to other sections of the Act as well. Specifically, the reporting deadlines could be adjusted in light of the change, and references to years (which are currently predicated on the target year being 2040) could also be adjusted.