
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2023 No.

**The Winter Heating Assistance (Low
Income) (Scotland) Regulations 2023**

Determination following official error – underpayments

6.—(1) The Scottish Ministers must make a determination of an individual’s entitlement to winter heating payment, without receiving an application, where—

- (a) they have previously made a determination of the individual’s entitlement to winter heating payment, and
- (b) they establish that, due to an official error, that determination was incorrect resulting in the individual not being given an award of winter heating payment to which the individual was entitled.

(2) In this regulation, “official error” means an error made by someone acting on behalf of the Scottish Ministers or on behalf of a Minister of the Crown that was not materially contributed to by anyone else.