

2011 No. 350

ENERGY CONSERVATION

**The Home Energy Assistance Scheme (Scotland) Amendment
(No. 2) Regulations 2011**

Made - - - - *29th September 2011*
Laid before the Scottish Parliament *3rd October 2011*
Coming into force - - *30th November 2011*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 15(2)(c) of the Social Security Act 1990(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Home Energy Assistance Scheme (Scotland) Amendment (No. 2) Regulations 2011 and come into force on 30th November 2011.

Amendments to the Home Energy Assistance Scheme (Scotland) Regulations 2009

2. After regulation 6(3) of the Home Energy Assistance Scheme (Scotland) Regulations 2009(b) insert—

“(3A) The criteria are that the person—

- (a) is or lives with a partner who is in receipt of carer’s allowance under section 70 of the 1992 Act(c); and
- (b) lives in an energy inefficient dwelling.”

ALEX NEIL

A member of the Scottish Executive

St Andrew’s House,
Edinburgh
29th September 2011

(a) 1990 c.27. Section 15 was amended by section 142 of the Housing, Grants, Construction and Regeneration Act 1996 (c.53). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46). The requirement to obtain Treasury consent was removed by section 55 of that Act.
(b) S.S.I. 2009/48, as amended by S.S.I. 2009/392, 2010/110 and 2011/56.
(c) 1992 c.4. Section 70 was amended by S.I. 1994/2556 and 2002/1457.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Home Energy Assistance Scheme (Scotland) Regulations 2009 (“the principal Regulations”) which make provision for the making of grants to improve the thermal insulation and energy efficiency of dwellings and to provide advice to reduce or prevent the wastage of energy in a dwelling.

Regulation 2 amends regulation 6 of the principal Regulations to extend eligibility to applicants who are, or who live with a partner who is, in receipt of carer’s allowance. Carer’s allowance is payable under section 70 of the Social Security Contributions and Benefits Act 1992 (c.4) to persons who are engaged in caring for a severely disabled person, subject to certain conditions set out in that section and in the Social Security (Invalid Care Allowance) Regulations 1976, as amended (S.I. 1976/409).

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