
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Warm Home Discount (England
and Wales) Regulations 2022

PART 4

Non-Core Spending

CHAPTER 4

Specified activities

Types of spending: activities specified by the Secretary of State

25.—(1) A compulsory scheme electricity supplier may, in respect of any scheme year, count towards its non-core spending obligation financial contributions (excluding Value Added Tax) made by the supplier in the scheme year to fund a specified activity.

(2) A “specified activity” is an activity specified in a notice published by the Secretary of State.

(3) The Secretary of State may only specify an activity in a notice if the Secretary of State is satisfied that—

- (a) the funding of the activity is open to contributions from any compulsory scheme electricity supplier,
- (b) the activity is of a kind listed in the first column of the table in Part 1 of Schedule 2, and does not fall within an exception in the second column of the table,
- (c) the activity includes adequate measures to ensure, so far as reasonably practicable, that—
 - (i) every E&W domestic customer provided with benefits under the activity will be provided with energy advice and smart meter advice, and
 - (ii) benefits provided under the activity will be provided wholly or mainly to persons in fuel poverty or in a fuel poverty risk group, and
- (d) the activity will provide value for money.

(4) But financial contributions made to fund a specified activity do not count towards a supplier’s non-core spending obligation if they are—

- (a) made pursuant to a requirement in—
 - (i) any other enactment, or
 - (ii) an electricity supply or gas supply licence, or
- (b) counted by a scheme supplier towards a spending obligation or target imposed by—
 - (i) any other enactment, or
 - (ii) an electricity supply or gas supply licence.

(5) In addition, financial contributions to fund a specified activity may count towards a supplier's non-core spending obligation only if they are made after the Secretary of State has published the notice specifying the activity.