
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Warm Home Discount (Scotland) Regulations 2022

PART 4

Non-Core Spending

CHAPTER 3

Broader group

Broader group customers

21.—(1) A compulsory scheme electricity supplier must in respect of a scheme year provide the prescribed rebate to Scotland domestic customers selected by the supplier (“broader group customers”) who appear to the supplier to meet eligibility criteria determined by the supplier and approved by the Authority in accordance with this Chapter.

(2) A compulsory scheme electricity supplier cannot treat a prescribed rebate as being provided under this Chapter if it is provided to a core group customer pursuant to a notice under regulation 8.

(3) Paragraph (1) does not require a supplier—

- (a) to provide the prescribed rebate to every Scotland domestic customer meeting its eligibility criteria; or
- (b) to provide prescribed rebates to Scotland domestic customers in excess of its broader group rebate target for the scheme year.

Eligibility criteria and verification measures

22.—(1) A compulsory scheme electricity supplier must notify the Authority of—

- (a) the eligibility criteria which the supplier proposes to apply in selecting broader group customers; and
- (b) the measures (“verification measures”) which it proposes to take before providing the prescribed rebate to a broader group customer for the purpose of verifying so far as reasonably practicable that the customer meets the supplier’s eligibility criteria.

(2) A supplier may make—

- (a) a notification for the purposes of one or more scheme years;
- (b) more than one notification in respect of a scheme year.

(3) The Authority must approve a supplier’s notification of eligibility criteria if, but only if, it is satisfied that—

- (a) the eligibility criteria include all the descriptions of persons in Part 1 of Schedule 2;
- (b) any description of persons included in the eligibility criteria and not included in Part 1 of Schedule 2 will wholly or mainly be persons in fuel poverty or in a fuel poverty risk group; and

- (c) the eligibility criteria are such as to ensure that customers meeting the criteria will wholly or mainly be persons who are not former core group customers of the supplier.
- (4) In paragraph (3)(c), “former core group customer” has the same meaning as in regulation 7(5).
- (5) The Authority must approve a supplier’s notification of verification measures if, but only if, it is satisfied that—
 - (a) the verification measures include all the measures specified in Part 2 of Schedule 2; or
 - (b) the measures will be at least as effective as those specified in Part 2 of Schedule 2 for the purpose of verifying so far as reasonably practicable that customers provided with the prescribed rebate under this Chapter meet the supplier’s eligibility criteria.

Provision of rebate to broader group customers

23.—(1) Where a compulsory scheme electricity supplier provides the prescribed rebate to a Scotland domestic customer, that rebate is only to be treated as being provided under this Chapter if—

- (a) the supplier has notified eligibility criteria and verification measures to the Authority;
 - (b) either—
 - (i) the rebate is provided after the Authority has approved the eligibility criteria and verification measures; or
 - (ii) in scheme year 12, the rebate is provided before the Authority has decided whether to approve the eligibility criteria and verification measures, and the Authority subsequently approves them;
 - (c) the supplier applies its verification measures; and
 - (d) it appears to the supplier that the customer meets its eligibility criteria.
- (2) A compulsory scheme electricity supplier must provide the prescribed rebate to a broader group customer by—
- (a) crediting to the customer’s electricity account an amount as a result of which the amount (including Value Added Tax) charged to the customer is reduced by the amount of the prescribed rebate;
 - (b) following a request by the customer, crediting to the customer’s gas account an amount as a result of which the amount (including Value Added Tax) charged to the customer is reduced by the amount of the prescribed rebate;
 - (c) tendering payment of the amount of the prescribed rebate to the customer;
 - (d) providing a customer who pre-pays for electricity with credit to the amount of the prescribed rebate against the cost (including Value Added Tax) of future electricity use; or
 - (e) following a request by a customer who pre-pays for gas, providing the customer with credit to the amount of the prescribed rebate against the cost (including Value Added Tax) of future gas use.
- (3) The date on which the prescribed rebate is provided to a broader group customer is the date on which the compulsory scheme electricity supplier complies with paragraph (2).
- (4) A compulsory scheme electricity supplier who provides the prescribed rebate to a broader group customer must—
- (a) specify on the customer’s bill; or
 - (b) otherwise notify the customer in writing,
- that the customer has been given a rebate under the Scheme.

(5) A compulsory scheme electricity supplier must, before the end of the specified period, notify the Authority of the number of prescribed rebates provided by the supplier under this Chapter in the scheme year which are undelivered as at the date of the notification.

(6) For the purposes of this regulation—

(a) “the specified period”, in relation to a scheme year, means the period of five months beginning with 1st April immediately following the end of the scheme year;

(b) a prescribed rebate is undelivered if—

(i) the rebate was provided to a customer by tendering payment of the amount of the prescribed rebate to the customer, and the customer has not accepted the payment; or

(ii) the rebate was provided to a customer who pre-pays for electricity or gas with credit to the amount of the prescribed rebate against the cost of future electricity or gas use, and the customer has not accepted that credit.