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DRAFT STATUTORY INSTRUMENTS

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**2022 No.**

**The Warm Home Discount (Scotland) Regulations 2022**

**PART 3**

**The Core Spending Obligation**

**Provision of information by suppliers**

**11.**—(1) The Secretary of State may direct scheme electricity suppliers to provide information to the Secretary of State, or a person providing services to the Secretary of State, about their Scotland domestic customers for the purpose of facilitating the exercise of the power in regulation 8(1).

(2) A direction under paragraph (1)—

- (a) must be given to all scheme electricity suppliers to whom information may be disclosed under section 36(1) of the Digital Economy Act 2017; and
- (b) may only be given if—
  - (i) regulations are in force under section 142 of the Pensions Act 2008 and those regulations authorise the scheme electricity supplier to disclose to the Secretary of State the information specified in the direction; or
  - (ii) the scheme electricity supplier is authorised by section 37 of the Digital Economy Act 2017 to disclose to the Secretary of State the information specified in the direction.

(3) A direction under paragraph (1)—

- (a) must specify the information to be provided;
- (b) must specify the date on, or by, which the information is to be provided;
- (c) may specify the form in which the information is to be provided.

(4) A scheme electricity supplier must comply with a direction under paragraph (1).

(5) A scheme electricity supplier must notify the Secretary of State if a rebate notice given to the supplier specifies a person—

- (a) who is not a core group customer; or
- (b) whom the supplier is unable to identify as a core group customer.

(6) A supplier must give the notice under paragraph (5) before the end of the period of 30 days beginning with the day on which it receives the rebate notice.

(7) If, in relation to a scheme year, a scheme electricity supplier does not provide the prescribed rebate to any core group customer, the supplier must, before the end of the specified period, notify the Authority of—

- (a) the number of core group customers to whom the supplier has not provided the rebate;
- (b) the reasons why the supplier has not provided the rebate to those customers; and
- (c) any steps taken by the supplier to attempt to provide the rebate to those customers.

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

(9) 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.