
STATUTORY INSTRUMENTS

2013 No. 1509

**The Social Fund Winter Fuel Payment
(Amendment) Regulations 2013**

Amendment of the Social Fund Winter Fuel Payment Regulations 2000

2.—(1) The Social Fund Winter Fuel Payment Regulations 2000⁽¹⁾ are amended as follows.

(2) In regulation 2 (social fund winter fuel payments)—

(a) in paragraph (1)—

(i) for “and (3)” substitute “to (4)”; and

(ii) for sub-paragraph (a) substitute—

“(a) in respect of any day falling within the qualifying week is—

(i) ordinarily resident in Great Britain; or

(ii) habitually resident in Switzerland or an EEA state other than the United Kingdom; and”;

(b) after paragraph (3) add—

“(4) A person does not qualify for a winter fuel payment by virtue of falling within paragraph (2)(a)(ii) above unless—

(a) they are a person to whom Council Regulation (EC) No 1408/71⁽²⁾ on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, or Regulation (EC) No 883/2004 of the European Parliament and of the Council⁽³⁾ on the coordination of social security systems, applies; and

(b) they are able to demonstrate a genuine and sufficient link to the United Kingdom social security system.”.

(3) At the end of regulation 3 (persons not entitled to a social fund winter fuel payment), add—

“(3) No person is entitled to a winter fuel payment for the winter of 1997 to 1998, 1998 to 1999 or 1999 to 2000 unless they have made a claim for such a payment on or before 31st March 2014.”.

(1) S.I. 2000/729. Relevant amending instruments are S.I. 2003/2192, 2003/1737, 2004/2154, 2008/1554, 2009/1488 and 2012/757.

(2) OJ No L 149, 5.7.71, p2 (OJ/SE 1st series 1971 vol II p416).

(3) OJ No L 166, 30.4.04, p1.