

SCHEDULE 2

Regulation 22

Broader group

PART 1

Eligibility criteria

1. A person who is in receipt of income support under Part 7 of the Social Security Contributions and Benefits Act 1992(1) and—
 - (a) has parental responsibilities for a child under the age of 5 who ordinarily resides with that person; or
 - (b) is in receipt of a qualifying component.
2. A person who is in receipt of income-related employment and support allowance which includes a support component in accordance with section 4(2)(b) of the Welfare Reform Act 2007(2) and—
 - (a) has parental responsibilities for a child under the age of 5 who ordinarily resides with that person; or
 - (b) is in receipt of a qualifying component.
3. A person who is in receipt of income-related employment and support allowance, is a member of the work-related activity group and—
 - (a) has parental responsibilities for a child under the age of 5 who ordinarily resides with that person; or
 - (b) is in receipt of a qualifying component.
4. A person who is in receipt of income-based jobseeker's allowance within the meaning of section 1 of the Jobseekers Act 1995(3) and—
 - (a) has parental responsibilities for a child under the age of 5 who ordinarily resides with that person; or
 - (b) is in receipt of a qualifying component.
5. A person who is in receipt of housing benefit under Part 7 of the Social Security Contributions and Benefits Act 1992(4) and—
 - (a) has parental responsibilities for a child under the age of 5 who ordinarily resides with that person; or
 - (b) is in receipt of a qualifying component.

(1) 1992 c. 4. See section 124. That section was amended by Schedules 2 and 3 to the Jobseekers Act 1995 (c. 18), Schedule 8 to the Welfare Reform and Pensions Act 1999 (c. 30), Schedules 2 and 3 to the State Pension Credit Act 2002 (c. 16), Schedule 24 to the Civil Partnership Act 2004 (c. 33), Schedules 3 and 8 to the Welfare Reform Act 2007 (c. 5), section 3 of the Welfare Reform Act 2009 (c. 24) and section 59 of the Welfare Reform Act 2012 (c. 5). Part 7 is prospectively repealed by Schedule 14 to the Welfare Reform Act 2012.

(2) 2007 c. 5. Section 4 was amended by section 15 of the Welfare Reform and Work Act 2016 (c. 7) and is prospectively repealed by Schedule 14 to the Welfare Reform Act 2012 (c. 5).

(3) 1995 c. 18. Section 1 was amended by Schedules 7 and 13 to the Welfare Reform and Pensions Act 1999, Schedule 24 to the Civil Partnership Act 2004 and Schedule 3 to the Welfare Reform Act 2007. It was also amended by sections 44 and 49 of, and Schedule 14 to, the Welfare Reform Act 2012 and these amendments have been brought into force for certain purposes. It is prospectively amended by section 61 of the Welfare Reform Act 2012.

(4) See section 130. That section was amended by Schedule 3 to the Local Government Finance Act 1992 (c. 14), Schedule 19 to the Housing Act 1996 (c. 52) and Schedules 5 and 8 to the Welfare Reform Act 2007. It is prospectively repealed by Schedule 14 to the Welfare Reform Act 2012.

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6. A person who is in receipt of universal credit, has an earned income not exceeding the relevant periodic amount in at least one relevant assessment period and—
 - (a) has limited capability for work or limited capability for work and work-related activity as determined in accordance with Part 5 of the Universal Credit Regulations 2013⁽⁵⁾;
 - (b) is in receipt of a child element⁽⁶⁾ that includes an additional amount in respect of a child or qualifying young person who is disabled in accordance with regulation 24(2) of the Universal Credit Regulations 2013⁽⁷⁾; or
 - (c) has parental responsibilities for a child under the age of 5 who ordinarily resides with that person.
7. A person who is in receipt of child tax credit by virtue of an award which is based on an annual income not exceeding the relevant annual amount and—
 - (a) has parental responsibilities for a child under the age of 5 who ordinarily resides with that person;
 - (b) is in receipt of child tax credit which includes a disability element⁽⁸⁾; or
 - (c) is in receipt of a disabled child premium.

PART 2

Verification measures

1. Obtaining from each customer, orally or in writing—
 - (a) the customer’s name, address and telephone number;
 - (b) a declaration that the customer meets the supplier’s eligibility criteria; and
 - (c) an explanation of how the customer meets those criteria.
2. Explaining to each customer that the customer may be asked to provide further evidence of eligibility before receiving a prescribed rebate under the Scheme.
3. In relation to at least 5% of the number of customers which the compulsory scheme electricity supplier provides with the prescribed rebate in a scheme year, obtaining documentary evidence before providing the prescribed rebate that the customer meets the supplier’s eligibility criteria.

PART 3

Interpretation

1. In this Schedule—

“annual income” means the income for the tax year calculated in accordance with the Tax Credits (Definition and Calculation of Income) Regulations 2002⁽⁹⁾;

(5) S.I. 2013/376. See regulations 39 and 40, as amended by S.I. 2014/597.

(6) See regulation 24(1) of the Universal Credit Regulations 2013, as amended by section 14(5)(a) of the Welfare Reform and Work Act 2016 (c. 7).

(7) Regulation 24(2) was amended by S.I. 2014/2888, 2021/786 and 2022/177.

(8) See regulation 7(2)(c) of the Child Tax Credit Regulations 2002 (S.I. 2002/2007), as amended by S.I. 2017/387.

(9) S.I. 2002/2006, as amended by S.I. 2003/732, 2003/2815, 2004/762, 2004/2663, 2005/2919, 2006/745, 2006/766, 2007/824, 2007/1305, 2007/1315, 2007/2538, 2008/604, 2008/1879, 2008/2169, 2009/697, 2009/2887, 2010/751, 2010/2494, 2010/2914, 2011/721, 2012/848, 2013/235, 2013/388, 2013/591, 2013/630, 2014/513, 2014/658, 2014/2924, 2014/3255, 2015/175, 2015/643, 2015/1985, 2016/360, 2016/978, 2017/396, 2017/422, 2018/365, 2018/378, 2019/364, 2020/297, 2020/354, 2020/534, 2020/941, 2020/1515, 2021/495, 2021/810, 2021/1286 and 2022/346.

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“child tax credit” has the meaning given in Part 1 of the Tax Credits Act 2002(10);

“consumer prices index” means—

- (a) the consumer prices index (CPI) published by the Office for National Statistics; or
- (b) where the index is not published for a month, any substituted index or figures published by the Office for National Statistics;

“disabled child premium” means a premium of that name specified in the relevant legislation;

“documentary evidence” includes copies of documents;

“earned income” means a person’s earned income calculated in accordance with Chapter 2 of Part 6 of the Universal Credit Regulations 2013(11);

“income-related employment and support allowance” has the same meaning as “income-related allowance” in section 1 of the Welfare Reform Act 2007(12);

“member of the work-related activity group” means a person who has or is treated as having limited capability for work under Part 5 of the Employment and Support Allowance Regulations 2008(13) other than by virtue of regulation 30 of those Regulations;

“parental responsibilities” has the meaning given in section 1(3) of the Children (Scotland) Act 1995(14);

“qualifying component” means—

- (a) child tax credit which includes a disability element;
- (b) a disabled child premium;
- (c) a disability premium, enhanced disability premium or severe disability premium;
- (d) a pensioner premium or higher pensioner premium,

and for the purposes of this definition, “disability premium”, “enhanced disability premium”, “severe disability premium”, “pensioner premium” and “higher pensioner premium” mean a premium of that name specified in the relevant legislation;

“relevant annual amount” means—

- (a) for scheme year 12, £17,005;
- (b) for each subsequent scheme year, the relevant annual amount for the preceding scheme year increased or, as the case may be, decreased, by the percentage increase or decrease in the consumer prices index over the 12 month period ending with the 30th September in the preceding scheme year (the resulting figure being rounded upwards to the nearest £1);

“relevant assessment period” means an assessment period beginning on a date no earlier than 6 months before the date on which the scheme year starts, where “assessment period” has the meaning given in regulation 21 of the Universal Credit Regulations 2013(15);

“relevant legislation” means—

- (a) Parts 3 and 4 of Schedule 2 to the Income Support (General) Regulations 1987(16);

(10) 2002 c. 21. See sections 1 and 8. Part 1 is repealed by Schedule 14 to the Welfare Reform Act 2012, with savings made by S.I. 2019/167.

(11) S.I. 2013/376. Chapter 2 of Part 6 was amended by S.I. 2013/1508, 2014/2888, 2014/3255, 2015/67, 2015/345, 2015/1754, 2019/1152, 2019/1249, 2020/354, 2020/1138 and 2021/1283.

(12) 2007 c. 5. Section 1 was amended by sections 50, 52 and 53 of the Welfare Reform Act 2012. It was also amended by section 54 of, and Schedules 3 and 14 to, the Welfare Reform Act 2012 and these amendments have been brought into force for certain purposes. It is prospectively amended by section 62 of the Welfare Reform Act 2012.

(13) S.I. 2008/794. Part 5 was amended by S.I. 2008/2428, 2010/840, 2010/1907, 2011/674, 2011/2425, 2012/3096, 2013/2536, 2014/884, 2015/437 and 2021/230.

(14) 1995 c. 36. Section 1 was amended by Schedule 6 to the Human Fertilisation and Embryology Act 2008 (c. 22).

(15) Regulation 21 was amended by S.I. 2014/2887, 2015/1362 and 2018/65.

(16) S.I. 1987/1967. See Schedule 3 to S.I. 2022/292, which relates to Part 4 of Schedule 2 to the Income Support (General) Regulations 1987 and contains a table of premiums.

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- (b) Parts 2 and 3 of Schedule 4 to the Employment and Support Allowance Regulations 2008**(17)**;
- (c) Parts 3 to 4B of Schedule 1 to the Jobseeker’s Allowance Regulations 1996**(18)**;
- (d) Parts 3 and 4 of Schedule 3 to the Housing Benefit Regulations 2006**(19)**;
- (e) Parts 3 and 4 of Schedule 3 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006**(20)**;

“relevant periodic amount” means one twelfth of the relevant annual amount for the scheme year (rounded upwards to the nearest £1);

“universal credit” has the meaning given in section 1 of the Welfare Reform Act 2012**(21)**.

(17) [S.I. 2008/794](#). See Schedule 12 to [S.I. 2022/292](#), which relates to Part 3 of Schedule 4 to the Employment and Support Allowance Regulations 2008 and contains a table of premiums.

(18) [S.I. 1996/207](#). See Schedules 9 and 10 to [S.I. 2022/292](#), which relate to Parts 4 and 4B of Schedule 1 to the Jobseeker’s Allowance Regulations 1996 and contains a table of premiums.

(19) [S.I. 2006/213](#). See Schedule 5 to [S.I. 2022/292](#), which relates to Part 4 of Schedule 3 to the Housing Benefit Regulations 2006 and contains a table of premiums.

(20) [S.I. 2006/214](#). See Schedule 7 to [S.I. 2022/292](#), which relates to Part 4 of Schedule 3 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 and contains a table of premiums.

(21) [2012 c. 5](#).