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STATUTORY INSTRUMENTS

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**2022 No. 772**

**The Warm Home Discount (England  
and Wales) Regulations 2022**

**PART 5**

**Authority functions**

**Approvals by the Authority: procedure**

- 26.**—(1) This regulation applies to notifications to the Authority under regulation [6\(6\)](#) or [22](#).
- (2) A notification must be in such form, and contain such information, as the Authority may require.
- (3) The Authority must, before the end of the specified period—
- (a) notify the supplier of its decision, or
  - (b) if the Authority requires further information from the supplier before approving the notification, request that information from the supplier.
- (4) For the purposes of paragraph (3) “the specified period” is—
- (a) 12 weeks after the commencement day, if the notification is received by the Authority before the end of the period of eight weeks beginning with the commencement day;
  - (b) otherwise, 20 working days after receipt of the notification.
- (5) When a supplier replies to a request for further information, the Authority must before the end of the period of 20 working days beginning with the day on which the Authority receives the reply—
- (a) notify the supplier of its decision, or
  - (b) if the Authority still requires further information from the supplier before approving the notification, request that information from the supplier.
- (6) If the Authority refuses to approve a supplier’s notification, or part of a notification, the Authority must give reasons for its refusal.

**Determination of amounts spent by scheme suppliers**

- 27.**—(1) The Authority must in respect of each scheme year, as soon as reasonably practicable after the end of the scheme year, determine—
- (a) the total amount of rebates provided in the scheme year, or treated as being provided in the scheme year, by each scheme electricity supplier under Part 3;
  - (b) the total amount of spending on industry initiatives under Part 4 incurred, or treated as incurred, by each compulsory scheme electricity supplier which that supplier may count towards its non-core spending obligation for the scheme year;

- (c) the total amount of spending on specified activities under Chapter 4 of Part 4 incurred by each compulsory scheme electricity supplier which that supplier may count towards its non-core spending obligation for the scheme year.
- (2) The Authority must in respect of each scheme year, as soon as reasonably practicable after the end of the scheme year, estimate for each compulsory scheme electricity supplier the proportion, expressed as a percentage—
- (a) of—
- (i) the total amount of spending mentioned in paragraph (1)(b), and
  - (ii) the amount of spending on each industry initiative for the scheme year, which was incurred by, or treated as incurred by, the supplier in relation to households which meet the condition in paragraph (3), and
- (b) of—
- (i) the total amount of spending mentioned in paragraph (1)(c), and
  - (ii) the amount of spending on each specified activity for the scheme year, which was incurred by the supplier in relation to households which meet the condition in paragraph (3).
- (3) A household meets the condition in this paragraph if at least one person living in the household has significant health problems or a disability.

#### **Provision of information to the Authority**

- 28.**—(1) The Authority may request that a scheme supplier provide it with such information as the Authority requires for the purposes of carrying out its functions in relation to the Scheme.
- (2) A request under paragraph (1)—
- (a) must specify the date by which the information is to be provided, and
  - (b) may specify the form in which the information is to be provided.
- (3) A scheme supplier must comply with a request under paragraph (1).

#### **Provision of information by the Authority**

- 29.**—(1) The Authority must notify the Secretary of State if—
- (a) the Authority is notified by a supplier of last resort of that supplier’s intention to meet all or part of a failed supplier’s non-core spending obligation for a scheme year, and
  - (b) that notification is made on or before 15th February in that scheme year.
- (2) A notification under paragraph (1) must be given by the Authority as soon as reasonably practicable after it is notified by the supplier of last resort.
- (3) For the purposes of this regulation—
- (a) a “supplier of last resort” is a compulsory scheme electricity supplier who is given a direction (a “last resort supply direction”) by the Authority to take over responsibility for the supply of electricity to another person’s GB domestic customers, and
  - (b) a “failed supplier” is a person in respect of whose GB domestic customers the Authority gives a last resort supply direction.