
STATUTORY INSTRUMENTS

2022 No. 772

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

PART 1

Introductory

Meaning of “E&W domestic customer”, “GB domestic customer” and “partner”

2.—(1) This regulation defines “E&W domestic customer”, “GB domestic customer” and “partner” and makes related provision for the purposes of these Regulations.

(2) “E&W domestic customer” means an owner or occupier of domestic premises in England or Wales, who is supplied with electricity or gas at those premises wholly or mainly for domestic purposes.

(3) “GB domestic customer” means an owner or occupier of domestic premises in England, Wales or Scotland, who is supplied with electricity or gas at those premises wholly or mainly for domestic purposes.

(4) For the purposes of these Regulations, where—

- (a) an individual (“I”) is an owner or occupier of domestic premises at which electricity or gas is supplied for domestic purposes, and
- (b) because I lacks the necessary capacity to arrange that supply, the electricity or gas is supplied at those premises to another person (“A”) who is not I’s partner (whether or not A is also an owner or occupier of those premises),

I is to be treated as the person who is supplied with electricity or gas at those premises.

(5) For the purposes of these Regulations, an individual is the partner of another individual if—

- (a) they are married to, or civil partners of, each other and are members of the same household, or
- (b) they are not married to, or civil partners of, each other but live together as if they were spouses or civil partners.

(6) Paragraph (7) applies if an individual (“I”) is staying in hospital, or residing in a care home or hospice, but would normally—

- (a) occupy the premises at which I is supplied, or treated as supplied, with electricity or gas as their sole or main residence, or
- (b) be a member of the same household as their spouse or civil partner, or live together with another person as if they were spouses or civil partners.

(7) Where this paragraph applies, I is to be treated for the purposes of these Regulations as continuing to occupy the relevant premises as their sole or main residence, be a member of the relevant household or live together with the relevant person (as the case may be) if—

- (a) where I is staying in hospital, the duration of I’s stay has not exceeded 52 weeks from the date on which I was admitted;
 - (b) where I is residing in a care home or hospice, I’s residence there is temporary.
- (8) For the purposes of paragraphs (6) and (7)—
- (a) it does not matter whether the person’s stay in hospital, or residence in a care home or hospice, began before the start of the relevant scheme year;
 - (b) “care home” means—
 - (i) an establishment in England that is a care home within the meaning of section 3 of the Care Standards Act 2000⁽¹⁾;
 - (ii) a place in Wales at which a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016⁽²⁾ is provided wholly or mainly to persons over the age of 18;
 - (iii) accommodation that is provided as a care home service within the meaning of paragraph 2 of schedule 12 to the Public Services Reform (Scotland) Act 2010⁽³⁾;
 - (iv) an establishment in Northern Ireland that is a residential care home, or a nursing home, for the purposes of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003⁽⁴⁾;
 - (c) “hospice” means an institution in the United Kingdom whose primary function is the provision of palliative care to persons resident there who are suffering from a progressive disease in its final stages.

(1) 2000 c. 14. Section 3 was amended by paragraph 4 of Schedule 5 to the Health and Social Care Act 2008 (c. 14) and paragraph 3 of Schedule 3 to the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2).

(2) 2016 anaw 2.

(3) 2010 asp 8.

(4) S.I. 2003/431 (N.I. 9). Articles 10 (residential care homes) and 11 (nursing homes) were amended by paragraph 1 of Schedule 6 to the Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1).