

2013 No. 2843 (W. 270)

**ENERGY CONSERVATION,
WALES**

**The Home Energy Efficiency
Schemes (Wales) (Amendment)
Regulations 2013**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Home Energy Efficiency Schemes (Wales) Regulations 2011 (S.I. 2011/656 (W. 94)).

Regulation 3 amends the definition of “means-tested benefit” in accordance with amendments to social security benefits to include Universal Credit and council tax reductions, which replace the council tax benefit scheme. The definition of “private occupancy” is amended to allow those under shared equity arrangements to be included within the Home Energy Efficiency Scheme.

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**The Home Energy Efficiency
Schemes (Wales) (Amendment)
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Made 31 October 2013

Laid before the National Assembly for Wales
5 November 2013

Coming into force 30 November 2013

The Welsh Ministers make the following Regulations in exercise of the power conferred on the Secretary of State by section 15 of the Social Security Act 1990(1), which is now exercisable by them in relation to Wales(2).

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Home Energy Efficiency Schemes (Wales) (Amendment) Regulations 2013.

(2) These Regulations come into force on 30 November 2013 and apply in relation to Wales.

(3) In these Regulations, “the principal Regulations” (“*y prif Reoliadau*”) means the Home Energy Efficiency Schemes (Wales) Regulations 2011(3).

(1) 1990 c. 27; section 15 was amended by section 142 of the Housing Grants, Construction and Regeneration Act 1996 (c. 53).

(2) The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) directed that the functions under section 15 were to be exercisable in relation to Wales by the National Assembly for Wales concurrently with the Secretary of State. By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), those functions are now exercisable by the Welsh Ministers in relation to Wales.

(3) S.I. 2011 No.656 (W.94).

Amendment of the principal Regulations

2. The principal Regulations are amended in accordance with regulation 3.

Amendment of regulation 2 (interpretation)

3. Regulation 2 is amended as follows—

(1) For the definition of “means-tested benefit” (“*budd-daliad sy’n dibynnu ar prawf modd*”) substitute—

□ “Means-tested benefit” (“*budd-daliad sy’n dibynnu ar prawf modd*”) means—

- (a) income support and housing benefit (each as defined in Part VII of the Social Security Contributions and Benefits Act 1992⁽¹⁾);
- (b) council tax reduction scheme (as defined in Local Government Finance Act 1992⁽²⁾);
- (c) state pension credit (as defined in the State Pension Credit Act 2002⁽³⁾);
- (d) working tax credit and child tax credit (each as defined in the Tax Credits Act 2002⁽⁴⁾) provided that in each case the income of the applicant does not exceed the relevant income threshold;
- (e) income-related employment and support allowance (as defined in the Welfare Reform Act 2007⁽⁵⁾); and
- (f) universal credit (as defined in the Welfare Reform Act 2012⁽⁶⁾); □

(2) In the definition of “private occupancy” (“*meddiannaeth breifat*”) omit “(including under shared equity arrangements)”.

(1) 1992 c. 4.
(2) 1992 c. 14.
(3) 2002 c. 16.
(4) 2002 c. 21.
(5) 2007 c. 5.
(6) 2012 c. 5.

Alun Davies

Minister for Natural Resources and Food, one of the
Welsh Ministers

31 October 2013