
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 56

**The Home Energy Assistance Scheme
(Scotland) Amendment Regulations 2011**

Amendments to the Home Energy Assistance Scheme (Scotland) Regulations 2009

5. In regulation 6 (person eligible to apply for a grant)—
- (a) in paragraph (1)(b) after “year” insert “, except where the circumstances in paragraph (1A) apply”;
 - (b) in paragraph (1)(c) after “completed” insert “, except where that person, or a partner living with that person, is terminally ill”;
 - (c) in paragraph (1)(d) for “(4)” substitute “(4B)”;
 - (d) after paragraph (1) insert—
 - “(1A) The circumstances are that—
 - (a) the person making the application, or a partner living with that person, is terminally ill; and
 - (b) no applicant has previously been excepted from the condition in paragraph (1)(b) in respect of any other dwelling by virtue of that person being terminally ill.”;
 - (e) after paragraph (4) insert—
 - “(4A) The criteria are that the person—
 - (a) is or lives with a partner who is in receipt of the highest rate of the care component of disability living allowance as mentioned in section 72(4)(a) of the 1992 Act or the higher rate of the mobility component of disability living allowance as mentioned in section 73(11)(a) of the 1992 Act;
 - (b) is or lives with a partner who is in receipt of a benefit listed in paragraph (5) other than disability living allowance; and
 - (c) lives in an energy inefficient dwelling. - (4B) The criteria are that the person—
 - (a) is or lives with a partner who is terminally ill;
 - (b) is or lives with a partner who is in receipt of a benefit listed in paragraph (5) other than disability living allowance; and
 - (c) lives in an energy inefficient dwelling.”.