



# Social Security Act 1990

## 1990 CHAPTER 27

### *Energy efficiency in certain dwellings etc.*

#### **15 Grants for the improvement of energy efficiency in certain dwellings etc.**

- [<sup>F1</sup>(1) The Secretary of State may make or arrange for the making of grants—
- (a) towards the cost of carrying out work for the purpose of—
    - (i) improving the thermal insulation of dwellings, or
    - (ii) otherwise reducing or preventing the wastage of energy in dwellings (whether in connection with space or water heating, lighting, the use of domestic appliances or otherwise), and
  - (b) where any such work is, or is to be, carried out, towards the cost of providing persons with advice on reducing or preventing the wastage of energy in dwellings;
- but no grants shall be made under this section except in accordance with regulations made by the Secretary of State.]
- (2) The regulations may make provision with respect to—
- (a) the descriptions of dwelling and work in respect of which a grant under subsection (1)(a) above may be made;
  - (b) the nature and extent of the advice with respect to the provision of which grants under subsection (1)(b) above may be made;
  - (c) the descriptions of person from whom an application for a grant under subsection (1)(a) or (b) above may be entertained;
  - (d) the persons to whom such an application is to be made;
  - (e) the payment of such grants to persons other than the applicant;
  - (f) the conditions on which such a grant may be made.
- (3) The regulations—
- (a) may specify or make provision for determining the amount or maximum amount of any grant under this section; and
  - (b) may include provision requiring work to comply with standards of materials and workmanship (whether prescribed standards, or standards otherwise laid

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down from time to time by a prescribed person) if it is to be eligible for a grant under subsection (1)(a) above.

- (4) Subsections (1) to (3) above shall apply in relation to any building in multiple occupation as they apply in relation to a dwelling; and for this purpose “building in multiple occupation” means a building which is occupied by persons who do not form a single household, exclusive of any part of the building which is occupied as a separate dwelling by persons who form a single household.
- (5) The Secretary of State may delegate any of his functions in relation to grants under this section to such persons or bodies of persons as he may determine, and may pay to any person or body of persons to whom functions are so delegated, or upon whom functions are otherwise conferred under or by virtue of this section, such fees as may be agreed.
- (6) Without prejudice to the generality of the powers conferred by this section, the regulations may make provision for any of the following matters, that is to say—
  - (a) for appointing for any particular area a person or body of persons (an “administering agency”) to perform in that area such functions as the Secretary of State may confer upon that person or body for the purposes of, or otherwise in connection with, this section (whether those functions are prescribed, or specified otherwise than in regulations);
  - (b) for the administering agency for any area to select, in accordance with criteria (whether prescribed criteria, or criteria otherwise laid down from time to time by a prescribed person), and register as the network installer for any particular locality within their area, a person or body of persons capable of carrying out, or arranging for the carrying out of, work in respect of which grants under subsection (1)(a) above may be made, to perform in that locality such functions as the Secretary of State or that agency may confer upon that person or body for the purposes of, or otherwise in connection with, this section (whether those functions are prescribed, or specified otherwise than in regulations);
  - (c) for the allocation by the Secretary of State to an administering agency of the sums which are to be available to that agency in any period for the purpose of making grants under this section in that period, and for the re-allocation of any sums so allocated;
  - (d) for the allocation by an administering agency to a network installer of an amount which represents the total amount of grant under this section which the agency determines is, or is to be, available for any period in respect of work carried out, and advice given, by that installer and any sub-contractors of his in that period, and for the re-allocation of any amount so allocated.
- (7) The provision that may be made in regulations by virtue of subsection (6) above includes provision—
  - (a) for the making of appointments, or the conferring of functions, under that subsection to be effected in whole or in part by or under a contract made between prescribed persons and for requiring any such contract to contain prescribed terms and conditions or terms and conditions with respect to prescribed matters;
  - (b) for terminating any appointment as an administering agency or any registration as a network installer;
  - (c) for conferring upon network installers the exclusive right to apply for grants by virtue of subsection (4) above;

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- (d) for conferring upon administering agencies functions relating to the general oversight of network installers and the verification of claims made, and information supplied, by them.
- (8) The power to make regulations under this section shall be exercisable by statutory instrument made with the consent of the Treasury; and any statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of the House of Commons.
- (9) Regulations under this section—
- (a) may make different provision with respect to any labour involved, materials used or other items comprised in the carrying out of work; and
- (b) may make different provision for different cases and different areas.
- (10) In this section—
- “functions” means powers and duties and includes the exercise of a discretion with respect to any matter;
- [<sup>F2</sup>“materials” includes space and water heating systems;]
- “prescribed” means specified in, or determined in accordance with, regulations under this section.
- (11) Sections 252 and 253 of the <sup>M1</sup>Housing (Scotland) Act 1987 (grants for thermal insulation) shall cease to have effect.

#### Textual Amendments

- F1** S. 15(1) substituted (24.9.1996) by 1996 c. 53, ss. 142(1), 150(2)
- F2** S. 15(10): definition of “materials” inserted (24.9.1996) by 1996 c. 53, ss. 142(2), 150(2)

#### Modifications etc. (not altering text)

- C1** S. 15: functions shall be exercisable by the Assembly concurrently with the Secretary of State (1.7.1999) by S.I. 1999/672, art. 2, Sch. 1
- C2** S. 15 functions made exercisable concurrently or jointly with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 1 (as inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), Sch. 4 para. 1 (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(p))

#### Commencement Information

- I1** S. 15 wholly in force at 9.6.1997; s. 15(1)-(10) in force at Royal Assent see s. 23(3)(a); s. 15(11) in force at 9.6.1997 by S.I. 1997/1370, art. 2

#### Marginal Citations

- M1** 1987 c. 26.

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