Draft Regulations laid before Parliament under section 31(2) of the Energy Act 2010, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No.

ELECTRICITY, ENGLAND AND WALES

GAS, ENGLAND AND WALES

The Warm Home Discount (England and Wales) Regulations 2026

Made - - - - ***

Coming into force - - *1st April 2026*

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The Secretary of State makes these Regulations in exercise of the powers conferred by sections 9, 10, 14(4) and 31(5) and (6) of the Energy Act 2010(**a**) ("the Act") with the consent of the Treasury(**b**).

In accordance with section 14(1) of the Act, the Secretary of State has consulted the Gas and Electricity Markets Authority, licensed electricity suppliers, licensed gas suppliers and such other persons as the Secretary of State thinks appropriate.

In accordance with Article 36(4) of Regulation (EU) 2016/679 of the European Parliament and of the Council(**c**), the Secretary of State has consulted the Information Commissioner during the preparation of the proposal for these Regulations.

In accordance with section 31(2) of the Act, a draft of this instrument has been laid before and approved by resolution of each House of Parliament.

PART 1

Introductory

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Warm Home Discount (England and Wales) Regulations 2026.

(2) These Regulations come into force on 1st April 2026.

(3) This regulation and regulation 33 extend to England and Wales and Scotland.

(4) Otherwise, these Regulations extend to England and Wales only.

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 wholly or mainly 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),

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(**a**) 2010 c. 27. Section 9 was amended by section 58(2) of the Scotland Act 2016 (c. 11) and section 31(6) was amended by section 58(7) of that Act.

(**b**) See section 14(3) of the Energy Act 2010 for the requirement for the Treasury's consent.

(**c**) EUR 2016/679. For the meaning of "relevant authority" in Article 36(4), see Article 36(4A) of Regulation (EU) 2016/679 of the European Parliament and of the Council. Article 36 was amended by S.I. 2019/419.

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(**a**);

(ii) a place in Wales at which a care home service within the meaning of paragraph 1 of Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016(**b**) 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(**c**);

(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(**d**);

(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.

Interpretation: general

3.—(1) In these Regulations—

(**a**) 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).

(**b**) 2016 anaw 2. Paragraph 1 of Schedule 1 was amended by paragraph 2(6) of Schedule 1 to the Health and Social Care (Wales) Act 2025 (asc 1).

(**c**) 2010 asp 8.

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

"the 2022 Regulations" means the Warm Home Discount (England and Wales) Regulations 2022(**a**);

"aggregate non-core spending obligation" is to be read in accordance with regulation 18;

"central heating system" means a system—

(a) which provides heat for the purposes of space heating through a boiler or other heat source connected to one or more separate heat emitters, and

(b) where the heat source and heat emitters are all situated in the same domestic premises or building;

"the commencement day" means the day on which these Regulations come into force;

"compulsory scheme electricity supplier", other than in regulation 20(5)(a), has the meaning given in regulation 6(2);

"core group customer" has the meaning given in regulation 11(2);

"debt write-off" means the provision of assistance to reduce debts for electricity or gas supply to domestic premises by cancelling or reducing the debts;

"E&W domestic customer" has the meaning given in regulation 2(2);

"electricity supply licence" means a licence granted under section 6(1)(d) of the Electricity Act 1989(**b**);

"eligibility statement" has the meaning given in regulation 10(2);

"energy advice" means advice on reducing or preventing the wastage of energy in domestic premises;

"gas supply licence" means a licence granted under section 7A(1) of the Gas Act 1986(**c**);

"GB domestic customer" has the meaning given in regulation 2(3);

"group of companies" means a holding company and its wholly-owned subsidiaries, where "holding company" and "wholly-owned subsidiary" have the meanings given by section 1159 of the Companies Act 2006(**d**);

"industry initiative" has the meaning given in regulation 24(1);

"late rebate notice" has the meaning given in regulation 12(2);

"non-core spending obligation" is to be read, other than in regulation 21(2)(b), in accordance with regulation 20;

"partner" has the meaning given in regulation 2(5);

"prescribed rebate" means a rebate of £150;

"the Scheme" has the meaning given in regulation 4;

"scheme electricity supplier" means—

(a) a compulsory scheme electricity supplier, or

(b) a voluntary scheme electricity supplier;

(**a**) S.I. 2022/772, as amended by S.I. 2025/1031.

(**b**) 1989 c. 29. Section 6 was substituted by section 30 of the Utilities Act 2000 (c. 27), and subsection (1)(d) of that section was amended by S.I. 2012/2400.

(**c**) 1986 c. 44. Section 7A was inserted by section 6 of the Gas Act 1995 (c. 45). The functions of the Director General of Gas Supply under subsection (1) of that section were transferred to the Authority by section 3 of the Utilities Act 2000.

(**d**) 2006 c. 46.

"scheme gas supplier" has the meaning given in regulation 6(7);

"scheme year", other than in the expression "scheme year 15" and subject to regulation 12(8)(a), means—

(a) the period beginning with the commencement day and ending with 31st March 2027 ("scheme year 16"), or

(b) a period of 12 months beginning with 1st April in any of the years from 2027 to 2030 (and "scheme year" followed by a number from 17 to 20 means the scheme year beginning in 2027, 2028, 2029 or 2030 respectively);

"scheme year 15" has the meaning given in regulation 3(1) of the 2022 Regulations;

"smart meter advice" means advice on the benefits of using a smart meter in domestic premises;

"standard rebate notice" has the meaning given in regulation 9(1)(a);

"voluntary scheme electricity supplier" has the meaning given in regulation 6(5);

"working day" means a day other than—

(a) a Saturday or a Sunday,

(b) Christmas Day or Good Friday, or

(c) a day which is a bank holiday under section 1 of the Banking and Financial Dealings Act 1971(**a**) in England and Wales.

(2) For the purposes of these Regulations, a licensed supplier(**b**) is connected to another licensed supplier if they both belong to the same group of companies.

PART 2

The Scheme: introductory

Warm Home Discount Scheme for England and Wales

4.—(1) These Regulations make provision for the further continuation, in England and Wales, of the scheme for reducing fuel poverty ("the Scheme") established by the Warm Home Discount Regulations 2011(**c**) and continued by the 2022 Regulations.

(2) The Scheme, as continued by these Regulations—

(a) is to be known as the Warm Home Discount (England and Wales) Scheme, and

(b) has effect during the period beginning with the commencement day and ending with 31st March 2031 ("the scheme period").

(3) The following duties and powers continue to apply after the end of the scheme period—

(a) the duties of scheme suppliers(**d**) under regulations 11, 12(4) and (7), 14(5) to (8) and 30(3);

(b) the duties and powers of the Secretary of State under regulations 12(2), 13, 15 and 16;

(c) the duties and powers of the Authority(**e**) under regulations 30 and 31(1) and (2).

(**a**) 1971 c. 80. There are amendments to section 1, but none are relevant.
(**b**) See the definition of "licensed supplier" in section 15(5) of the Energy Act 2010.
(**c**) S.I. 2011/1033, as amended by S.I. 2014/695, 2015/652, 2016/806, 2018/909, 2019/1458 and 2021/667.
(**d**) For the definition of "scheme supplier", see section 15(5) of the Energy Act 2010.
(**e**) For the meaning of "the Authority", see section 34 of the Energy Act 2010.

Calculation of a relevant supplier's number of GB domestic customers on preceding 31st December

5.—(1) A relevant supplier must notify the Authority of the number of the supplier's GB domestic customers on the preceding 31st December on or before—

(a) the 21st day after the commencement day;

(b) 1st February, in 2027, 2028, 2029, 2030 and 2031.

(2) In this regulation "relevant supplier" means—

(a) a licensed electricity supplier(**a**), or

(b) a licensed gas supplier(**b**) who, on the preceding 31st December, was connected to a licensed electricity supplier.

(3) If a relevant supplier does not notify the Authority in accordance with paragraph (1), the Authority must determine the supplier's number of GB domestic customers on the preceding 31st December.

(4) But if—

(a) before the commencement day, a relevant supplier has notified the Authority of the number of that supplier's GB domestic customers on 31st December 2025 (the "original notification"), and

(b) the relevant supplier does not notify the Authority in accordance with paragraph (1)(a) of a change in the number of that supplier's GB domestic customers,

the Authority must treat the original notification as the relevant supplier's notification under paragraph (1)(a).

(5) For the purposes of paragraphs (1) to (4), a relevant supplier's number of GB domestic customers on the preceding 31st December is the number of GB domestic customers to whom the supplier supplies—

(a) electricity (other than as part of the supply of dual fuel),

(b) gas (other than as part of the supply of dual fuel), and

(c) dual fuel,

on that date.

(6) For the purposes of paragraph (5)—

(a) "dual fuel" means electricity and gas, where both are supplied to a GB domestic customer at the same domestic premises by a person who is both a licensed electricity supplier and a licensed gas supplier;

(b) a supply of dual fuel to a GB domestic customer is to be treated as a supply to two GB domestic customers.

(7) For the purposes of the remaining provisions of these Regulations, a reference to a supplier's number of GB domestic customers is a reference to the supplier's number of GB domestic customers as notified, or treated as notified, under paragraph (1) or, as the case may be, determined under paragraph (3).

(**a**) For the definition of "licensed electricity supplier", see section 15(5) of the Energy Act 2010.
(**b**) For the definition of "licensed gas supplier", see section 15(5) of the Energy Act 2010.

Licensed suppliers who are scheme suppliers

6.—(1) This regulation sets out the licensed suppliers who are scheme suppliers in relation to a scheme year.

(2) A licensed electricity supplier is a compulsory scheme electricity supplier in relation to a scheme year if the supplier—

(a) supplied electricity to GB domestic customers on 31st December preceding the start of the scheme year, and

(b) satisfies the condition in paragraph (3) or (4) (or both).

(3) The condition in this paragraph is that the supplier had at least 1,000 GB domestic customers on 31st December preceding the start of the scheme year.

(4) The condition in this paragraph is that—

(a) the supplier, and

(b) any licensed suppliers who were connected to the supplier on 31st December preceding the start of the scheme year,

together had at least 1,000 GB domestic customers on that date.

(5) A licensed electricity supplier is a voluntary scheme electricity supplier in relation to a scheme year if—

(a) the supplier is not a compulsory scheme electricity supplier, but notifies the Authority on or before the notification date that it wishes Part 3 of these Regulations to apply to the supplier in the scheme year, and

(b) the Authority approves that notification.

(6) For the purposes of paragraph (5) "the notification date" means—

(a) in relation to scheme year 16, the 21st day after the commencement day;

(b) in relation to any other scheme year, 1st February preceding the start of the scheme year.

(7) A licensed gas supplier is a scheme gas supplier in relation to a scheme year if the supplier—

(a) supplied gas to GB domestic customers on 31st December preceding the start of the scheme year, and

(b) was on that date connected to a licensed electricity supplier who is, in relation to the scheme year, a scheme electricity supplier.

Suppliers not participating in the scheme in a scheme year

7.—(1) This regulation applies to a licensed electricity supplier in a scheme year ("the current year") if the supplier—

(a) is not a scheme electricity supplier in relation to the current year, but

(b) was—

(i) where the current year is scheme year 16, an SY15 supplier, or

(ii) in any other case, a scheme electricity supplier in relation to the scheme year preceding the current year.

(2) A licensed electricity supplier to whom this regulation applies must—

(a) place a statement on its website that it is not participating in the Scheme in the current year, and

(b) notify its former core group customers in writing that it is not participating in the Scheme in the current year.

(3) The statement under paragraph (2)(a) must—

(a) be placed in a prominent and publicly accessible location on the licensed electricity supplier's website on or before the relevant date, and

(b) remain in a prominent and publicly accessible location on that website for the remainder of the current year.

(4) The notification under paragraph (2)(b) must, so far as reasonably practicable, be given on or before the relevant date.

(5) In this regulation—

"former core group customer", in relation to a supplier, means a person who—

(a) is an E&W domestic customer of the supplier, and

(b) was—

(i) where the current year is scheme year 16, an SY15 customer of the supplier, or

(ii) otherwise, a core group customer in the scheme year preceding the current year;

"the relevant date" means the date falling one month after the date on which the current year starts;

"SY15 customer", in relation to an SY15 supplier, means a person who was a core group customer (within the meaning given in regulation 10(2) of the 2022 Regulations) of that supplier in scheme year 15;

"SY15 supplier" means a person who was a scheme electricity supplier (within the meaning given in regulation 3(1) of the 2022 Regulations) in relation to scheme year 15.

PART 3

The Core Spending Obligation

Aggregate core spending estimate

8.—(1) The Secretary of State must estimate and notify the Authority of the aggregate amount of prescribed rebates (if any) to be provided by scheme electricity suppliers under this Part ("the aggregate core spending estimate") in a scheme year on or before—

(a) in relation to scheme year 16, the 21st day after the commencement day;

(b) in relation to any other scheme year, 10th February preceding the start of the scheme year.

(2) The Secretary of State must update the aggregate core spending estimate for each scheme year and notify the Authority of the updated estimate on or before 10th August of the scheme year.

Determination of scheme customers by the Secretary of State

9.—(1) The Secretary of State must, in each scheme year and subject to the provisions of this regulation—

(a) specify in a notice (a "standard rebate notice") persons to whom a scheme electricity supplier must provide the prescribed rebate in accordance with regulation 11, and

(b) give the notice to the supplier.

(2) A person ("P") must be specified in a notice for a scheme electricity supplier if it appears to the Secretary of State that—

(a) P is an E&W domestic customer of the supplier,

(b) the premises at which P is supplied, or is treated as supplied, with electricity ("the qualifying premises") are occupied by P as their sole or main residence, and

(c) P, or, where both P and P's partner occupy the qualifying premises as their sole or main residence, P or P's partner meets the criteria described in the eligibility statement for the scheme year.

(3) The Secretary of State may give a scheme electricity supplier more than one standard rebate notice in a scheme year.

(4) A standard rebate notice may not be given—

(a) before the eligibility statement for the scheme year in which the notice is to be given is published (see regulation 10);

(b) in scheme year 20, after 1st March 2031.

(5) A standard rebate notice containing personal information (within the meaning of section 40(5) of the Digital Economy Act 2017(**a**)) may only be given if—

(a) the personal information is given with the consent of the person to whom it relates,

(b) regulations are in force under section 142 of the Pensions Act 2008(**b**) and those regulations authorise the Secretary of State to provide the supplier with the personal information contained in the notice, or

(c) the Secretary of State is authorised by section 36 of the Digital Economy Act 2017(**c**) to provide the supplier with the personal information contained in the notice.

Eligibility statement

10.—(1) The Secretary of State must publish an eligibility statement for each scheme year.

(2) An "eligibility statement" is a document which describes the criteria adopted by the Secretary of State for the purpose of providing the prescribed rebate in a scheme year to persons living in fuel poverty(**d**) or in a fuel poverty risk group(**e**).

(3) An eligibility statement—

(a) may be for one or more scheme years;

(b) must state which scheme year or years it is for.

(4) The Secretary of State may amend an eligibility statement for—

(a) a scheme year, or

(b) where a statement is for more than one scheme year, any or all of those scheme years.

(5) The Secretary of State must publish the amended eligibility statement.

(**a**) 2017 c. 30.
(**b**) 2008 c. 30.
(**c**) Section 36 was amended by S.I. 2018/912.
(**d**) For the meaning of "living in fuel poverty", see section 15(2)(a) of the Energy Act 2010.
(**e**) For the meaning of "fuel poverty risk group", see section 15(5) of the 2010 Act.

Provision of rebate to core group customers

11.—(1) A scheme electricity supplier who is given a standard rebate notice must provide the prescribed rebate to each core group customer.

(2) In these Regulations "core group customer", in relation to a scheme electricity supplier, means a person specified in a standard rebate notice who—

(a) is an E&W domestic customer of the supplier, or

(b) was an E&W domestic customer of the supplier, if, during the scheme year in which the notice is given, the supplier has informed the Secretary of State that the person is an E&W domestic customer of the supplier.

(3) The scheme electricity supplier must provide the prescribed rebate to a core group customer by—

(a) crediting to the customer's electricity account an amount as a result of which the amount (including Value Added Tax) charged to the customer is reduced by the amount of the prescribed rebate,

(b) following a request by the customer, crediting to the customer's gas account an amount as a result of which the amount (including Value Added Tax) charged to the customer is reduced by the amount of the prescribed rebate,

(c) tendering payment of the amount of the prescribed rebate to the customer,

(d) providing a customer who pre-pays for electricity with credit to the amount of the prescribed rebate against the cost (including Value Added Tax) of future electricity use, or

(e) following a request by a customer who pre-pays for gas, providing the customer with credit to the amount of the prescribed rebate against the cost (including Value Added Tax) of future gas use.

(4) The date on which the prescribed rebate is provided to a core group customer is the date on which the scheme electricity supplier complies with paragraph (3).

(5) If the standard rebate notice is given to the scheme electricity supplier on or before 1st March in a scheme year, the supplier must provide the prescribed rebate to the core group customers specified in the notice on or before 31st March in the scheme year.

(6) If the standard rebate notice is given to the scheme electricity supplier after 1st March in a scheme year—

(a) the supplier must provide the prescribed rebate to the core group customers specified in the notice before the end of the period of 30 days beginning with the day on which it receives the notice, and

(b) the prescribed rebate is to be treated as being provided in the scheme year in which the notice is given.

(7) A scheme electricity supplier who provides the prescribed rebate to a core group customer in accordance with this regulation must—

(a) specify on the customer's bill, or

(b) otherwise notify the customer in writing,

that the customer has been given a rebate under the Scheme.

(8) This regulation is subject to regulation 13.

Late rebate notices

12.—(1) This regulation applies if, during a scheme year ("the relevant scheme year"), the Secretary of State is satisfied that—

(a) the criteria in regulation 9(2)(a) to (c) were met in respect of a person ("P") in the preceding scheme year, but

(b) P did not receive the prescribed rebate for that scheme year because of an administrative error by a scheme electricity supplier, the Secretary of State or the Authority.

(2) The Secretary of State must, on or before the specified date and subject to paragraph (3), give a notice (a "late rebate notice") to the relevant scheme electricity supplier specifying P as a person to whom the supplier must provide the prescribed rebate in accordance with paragraph (4).

(3) A late rebate notice containing personal information (within the meaning of section 40(5) of the Digital Economy Act 2017) may only be given if the condition in regulation 9(5)(a) or (c) is met.

(4) A scheme electricity supplier who is given a late rebate notice in respect of P must, if it is the relevant scheme electricity supplier in respect of P, provide the prescribed rebate to P—

(a) using a method listed in regulation 11(3)(a) to (e), and

(b) before the end of the period of 30 days beginning with the day on which it receives the late rebate notice.

(5) The date on which the prescribed rebate is provided to P is the date on which the relevant scheme electricity supplier complies with paragraph (4).

(6) If the prescribed rebate is provided after the end of the relevant scheme year, it is to be treated as being provided in the relevant scheme year.

(7) The scheme electricity supplier who provides the prescribed rebate to P in accordance with this regulation must—

(a) specify on P's bill, or

(b) otherwise notify P in writing,

that P has been given a rebate under the Scheme.

(8) In this regulation—

(a) references to the "preceding scheme year" include a reference, in relation to scheme year 16, to scheme year 15;

(b) a scheme electricity supplier is the "relevant scheme electricity supplier" in respect of P for the relevant scheme year if, during the preceding scheme year, the supplier informed the Secretary of State that P was an E&W domestic customer of the supplier in that scheme year;

(c) the "specified date" is—

(i) where paragraph (1) applies on or before the last day of February in the relevant scheme year, 31st March of that year;

(ii) otherwise, 30th April following the end of the relevant scheme year.

(9) Paragraph (4) is subject to regulation 13.

Exceptions

13.—(1) This regulation applies if the Secretary of State is satisfied that it would not be reasonably practicable for a scheme electricity supplier to provide the prescribed rebate to a core group customer.

(2) The Secretary of State may determine that regulation 11(1) or (as the case may be) 12(4) does not apply in respect of that core group customer.

Provision of information by suppliers

14.—(1) The Secretary of State may direct scheme electricity suppliers to provide information to the Secretary of State, or a person providing services to the Secretary of State, about their E&W domestic customers for the purpose of facilitating the exercise of the duty in regulation 9(1) or 12(2).

(2) A direction under paragraph (1)—

(a) must, if given for the purpose of facilitating the exercise of the duty in regulation 9(1), be given to all scheme electricity suppliers to whom information may be disclosed under section 36(1) of the Digital Economy Act 2017;

(b) may only be given if—

(i) regulations are in force under section 142 of the Pensions Act 2008 and those regulations authorise the scheme electricity supplier to disclose to the Secretary of State the information specified in the direction, or

(ii) the scheme electricity supplier is authorised by section 37 of the Digital Economy Act 2017 to disclose to the Secretary of State the information specified in the direction.

(3) A direction under paragraph (1)—

(a) must specify the information to be provided;

(b) must specify the date on, or by, which the information is to be provided;

(c) may specify the form in which the information is to be provided.

(4) A scheme electricity supplier must comply with a direction under paragraph (1).

(5) A scheme electricity supplier must notify the Secretary of State if a standard rebate notice or a late rebate notice given to the supplier specifies a person—

(a) who is not a core group customer, or

(b) whom the supplier is unable to identify as a core group customer.

(6) A scheme electricity supplier must give the notice under paragraph (5) before the end of the period of 30 days beginning with the day on which it receives the standard rebate notice or late rebate notice.

(7) If, in relation to a scheme year, a scheme electricity supplier does not provide the prescribed rebate to any core group customer, the supplier must, before the end of the specified period, notify the Authority of—

(a) the number of core group customers to whom the supplier has not provided the rebate,

(b) the reasons why the supplier has not provided the rebate to those customers, and

(c) any steps taken by the supplier to attempt to provide the rebate to those customers.

(8) A scheme electricity supplier must, before the end of the specified period, notify the Authority of the number of prescribed rebates provided, or treated as being provided, by the supplier under this Part in the scheme year which are undelivered as at the date of the notification.

(9) For the purposes of this regulation—

(a) "the specified period", in relation to a scheme year, means the period of five months beginning with 1st April immediately following the end of the scheme year;

(b) a prescribed rebate is undelivered if—

(i) the rebate was provided to a customer by tendering payment of the amount of the prescribed rebate to the customer, and the customer has not accepted the payment, or

(ii) the rebate was provided to a customer who pre-pays for electricity or gas with credit to the amount of the prescribed rebate against the cost of future electricity or gas use, and the customer has not accepted that credit;

(c) a person ("P") is to be treated as a "core group customer" in relation to a scheme electricity supplier if—

(i) P is specified in a late rebate notice, and

(ii) the supplier is the relevant scheme electricity supplier of P within the meaning of regulation 12(8)(b).

Provision of information by suppliers about automated decision making

15.—(1) The Secretary of State may direct scheme electricity suppliers to provide the information set out in paragraph (2) to each of their customers (if any) who—

(a) is a core group customer,

(b) is specified in a standard rebate notice that is given by the Secretary of State to a supplier within a particular period of time, and

(c) is identified in the standard rebate notice as having been specified in that notice based on the automated processing of data,

before providing the prescribed rebate to the customer.

(2) The information is—

(a) the fact that the customer is eligible for a rebate under the Scheme;

(b) the fact that the customer's eligibility has been assessed using automated processing of data, and

(c) details of where to find the Secretary of State's privacy notice for the Scheme.

(3) A direction under paragraph (1)—

(a) must be in writing;

(b) must specify the period of time mentioned in paragraph (1)(b);

(c) must specify the date on or by which the information set out in paragraph (2) is to be provided;

(d) must specify the form in which the information is to be provided.

(4) The Secretary of State—

(a) may issue more than one direction under paragraph (1) in a scheme year, and

(b) must notify the Authority of any direction issued under paragraph (1).

(5) A scheme electricity supplier must comply with a direction under paragraph (1).

Provision of information by the Secretary of State

16.—(1) The Secretary of State must, in respect of each scheme electricity supplier, notify the Authority as soon as reasonably practicable after the end of each scheme year of—

(a) the number of persons specified in standard rebate notices given to the supplier during the scheme year, and

(b) the number of those persons in respect of whom the supplier has notified the Secretary of State under regulation 14(5).

(2) The Secretary of State must also, in respect of each scheme electricity supplier, notify the Authority as soon as reasonably practicable after 30th April following the end of each scheme year of—

(a) the number of persons—

(i) who were specified in a late rebate notice given to the supplier during the period beginning with the start of the scheme year and ending with 30th April following the end of the scheme year, and

(ii) in respect of whom regulation 12(1) applied during the scheme year, and

(b) the number of those persons in respect of whom the supplier has notified the Secretary of State under regulation 14(5).

Interpretation of Part 3: references to the Secretary of State

17.—(1) In this Part, other than in the provisions specified in paragraph (2), references to the Secretary of State include a person providing services to the Secretary of State.

(2) The provisions mentioned in paragraph (1) are—

(a) regulation 8;

(b) regulation 10;

(c) the text before sub-paragraph (a) in regulation 12(1);

(d) regulation 13;

(e) regulation 14(1);

(f) regulation 15.

PART 4

Non-Core Spending

Chapter 1

Calculation etc. of suppliers' non-core spending obligations

Aggregate non-core spending obligation

18. The aggregate non-core spending obligation is—

(a) for scheme year 16, £78 million;

(b) for scheme year 17, £80 million;

(c) for scheme year 18, £81 million;

(d) for scheme year 19, £83 million;

(e) for scheme year 20, £84 million.

Duty to calculate and adjust, and notify, compulsory scheme electricity suppliers' non-core spending obligations

19.—(1) The Authority must—

(a) calculate, in accordance with regulation 20, the non-core spending obligation for each compulsory scheme electricity supplier for each scheme year, and

(b) adjust each supplier's non-core spending obligation for a scheme year in accordance with—

(i) in relation to scheme year 16, regulation 21;

(ii) in relation to any other scheme year, regulation 22.

(2) The Authority must notify each compulsory scheme electricity supplier—

(a) of its non-core spending obligation for each scheme year;

(b) whether any adjustment is made to its obligation for a scheme year in accordance with regulation 21 or 22;

(c) if such an adjustment is made, of the adjusted amount of its non-core spending obligation for that scheme year.

(3) The notification under paragraph (2)(a) must be given—

(a) in relation to scheme year 16, on or before the 28th working day after the commencement day;

(b) in relation to any other scheme year, on or before 14th March preceding the start of the scheme year.

(4) The notification under paragraph (2)(b) and, as the case may be, (c) must be given on or before 31st October in the scheme year to which it relates.

Calculation of non-core spending obligation

20.—(1) The non-core spending obligation of a compulsory scheme electricity supplier ("C") for a scheme year, subject to any adjustments under regulation 21 or 22, is C's obligation percentage of the aggregate non-core spending obligation for the scheme year.

(2) For the purposes of paragraph (1), "the obligation percentage" in relation to C and a scheme year is—

$$\frac{X}{Y} \times 100\ \%$$

where—

(a) "X" is the relevant number of GB domestic customers, and

(b) "Y" is the total number of GB domestic customers of—

(i) all compulsory scheme electricity suppliers, and

(ii) all scheme gas suppliers who are connected to a compulsory scheme electricity supplier.

(3) For the purposes of paragraph (2)(a), the relevant number of GB domestic customers is—

(a) if C is connected to one or more scheme gas suppliers but is not connected to any other compulsory scheme electricity suppliers, the combined number of GB domestic customers of C and its connected scheme gas suppliers;

(b) if C is connected to one or more scheme gas suppliers and to one or more other compulsory scheme electricity suppliers, a number equal to C% of (CE + CG) where—

(i) "C%" is C's number of GB domestic customers as a percentage of CE;

(ii) "CE" is the combined number of—

(aa) C's number of GB domestic customers, and

(bb) the number of GB domestic customers of C's connected compulsory scheme electricity suppliers;

(iii) "CG" is the number of GB domestic customers of C's connected scheme gas suppliers;

(c) otherwise, C's number of GB domestic customers.

(4) For the purposes of paragraphs (2) and (3)—

(a) a reference to a supplier's number of GB domestic customers is a reference to the supplier's number of GB domestic customers on 31st December preceding the start of the scheme year;

(b) a supplier is to be treated as connected to another supplier only if they were connected on that date.

(5) In this regulation "relevant supplier" means—

(a) in relation to scheme year 16, a compulsory scheme electricity supplier (within the meaning given in regulation 6(2) of the 2022 Regulations) in relation to scheme year 15;

(b) in relation to any other scheme year, a compulsory scheme electricity supplier in relation to the preceding scheme year.

Adjustment of non-core spending obligation: scheme year 16

21.—(1) The adjustments that must be made to the non-core spending obligation for scheme year 16 ("O") of a compulsory scheme electricity supplier ("C") are as follows.

(2) O must be adjusted in accordance with paragraph (3) or (4) if I is less than or exceeds S where—

(a) "I" is the amount of spending incurred by C under Part 4 of the 2022 Regulations in scheme year 15 (as determined by the Authority in accordance with regulation 27 of those Regulations);

(b) "S" is C's non-core spending obligation under Part 4 of the 2022 Regulations for scheme year 15, as adjusted (where required) in accordance with regulation 19 of those Regulations.

(3) If I is less than S, O must be adjusted by adding (S − I).

(4) If I exceeds S, O must be adjusted by subtracting the lesser of—

(a) (I − S), and

(b) the relevant amount.

(5) For the purposes of paragraph (4) "the relevant amount" is—

(a) 5% of S, or

(b) where C notified the Authority of its intention to meet all or part of a failed supplier's non-core spending obligation in accordance with regulation 29 of the 2022 Regulations in scheme year 15, 10% of S.

(6) Whether or not an adjustment is made under paragraph (2), O must be adjusted by adding an amount equal to the undelivered rebate amount.

(7) For the purposes of paragraph (6) "the undelivered rebate amount" is £150 multiplied by the number of prescribed rebates as stated in any notification made by C under regulation 12(8) of the 2022 Regulations.

Adjustment of non-core spending obligation: scheme years 17 to 20

22.—(1) The adjustments that must be made to the non-core spending obligation for a scheme year ("O"), other than scheme year 16, of a compulsory scheme electricity supplier ("C") are as follows.

(2) O must be adjusted in accordance with paragraph (3) or (4) if I is less than or exceeds S where—

(a) "I" is the amount of spending incurred by C under this Part (as determined by the Authority in accordance with regulation 29) in the preceding scheme year;

(b) "S" is C's non-core spending obligation for the preceding scheme year as adjusted for that year, where required, in accordance with regulation 21 or this regulation.

(3) If I is less than S, O must be adjusted by adding (S − I).

(4) If I exceeds S, O must be adjusted by subtracting the lesser of—

(a) (I − S), and

(b) the relevant amount.

(5) For the purposes of paragraph (4) "the relevant amount" is—

(a) 5% of S, or

(b) where C notified the Authority of its intention to meet all or part of a failed supplier's non-core spending obligation in accordance with regulation 31, 10% of S.

(6) Whether or not an adjustment is made under paragraph (2), O must be adjusted by adding an amount equal to the undelivered rebate amount.

(7) For the purposes of paragraph (6) "the undelivered rebate amount" is £150 multiplied by, where C has made a notification under regulation 14(8) in respect of the preceding scheme year, the number of prescribed rebates as stated in that notification.

Chapter 2

Obligation to incur spending etc.

Obligation to incur spending and amounts of spending

23.—(1) In each scheme year, a compulsory scheme electricity supplier must incur spending under this Part to the amount of its non-core spending obligation.

(2) In doing so, the supplier—

(a) must include spending under Chapter 3 (industry initiatives), subject to the requirements and limits in paragraphs (3) to (5);

(b) may include spending under Chapter 4 (activities specified by the Secretary of State).

(3) The amount of spending on financial assistance under regulation 24 which a supplier counts towards its non-core spending obligation—

(a) must be no less than the obligation percentage of £5 million, but

(b) must not, in total, exceed the obligation percentage of £10 million.

(4) The amount of spending on debt write-off under regulation 24 which a supplier counts towards its non-core spending obligation—

(a) must not exceed the obligation percentage of £3 million in respect of customers who are supplied with neither electricity or gas through a pre-payment meter;

(b) must not, in total, exceed the obligation percentage of £6 million.

(5) The amount of spending on the installation of boilers or central heating systems under regulation 24 which a supplier counts towards its non-core spending obligation must not in total exceed the obligation percentage of £8 million.

(6) In this regulation—

"financial assistance" means the activity listed in the final entry in the table in Part 1 of the Schedule;

"obligation percentage", in relation to a supplier, means the percentage determined in accordance with paragraph (2) of regulation 20.

(7) This regulation is subject to regulation 26.

Chapter 3

Industry initiatives

Spending on industry initiatives by a compulsory scheme electricity supplier

24.—(1) A compulsory scheme electricity supplier may in respect of a scheme year count towards its non-core spending obligation spending (excluding Value Added Tax) incurred in that scheme year on an activity of a kind listed in the table in Part 1 of the Schedule (an "industry initiative") by—

(a) the supplier, or

(b) a connected gas supplier, to the extent permitted by regulation 26.

(2) But spending on an industry initiative does not count towards a supplier's non-core spending obligation if the spending—

(a) is incurred pursuant to a requirement in—

(i) any other enactment, or

(ii) an electricity supply or gas supply licence,

(b) is counted by a scheme supplier towards a spending obligation or target imposed by—

(i) any other enactment, or

(ii) an electricity supply or gas supply licence, or

(c) falls within any exception in the table in Part 1 of the Schedule.

(3) In addition, spending on an industry initiative does not count towards a supplier's non-core spending obligation unless—

(a) the industry initiative has been notified to the Authority, and

(b) either—

(i) the spending takes place after the Authority approves the initiative, or

(ii) in relation to scheme year 16, the spending takes place before the Authority decides whether to approve the initiative but the Authority subsequently approves it.

Approval of industry initiatives

25.—(1) A compulsory scheme electricity supplier must notify the Authority of the industry initiatives which it, or any connected scheme gas supplier, proposes to carry out.

(2) A supplier may—

(a) make a notification for the purposes of one or more scheme years;

(b) make more than one notification in respect of a scheme year.

(3) The Authority must approve a supplier's notification if, but only if, it is satisfied that the supplier's proposed industry initiatives—

(a) meet the criteria specified in the relevant entry in the first column of the table in Part 1 of the Schedule, and do not fall within the exceptions in the corresponding entry in the second column of the table,

(b) ensure, so far as reasonably practicable, that every E&W domestic customer provided with benefits under the industry initiatives will be provided with energy advice and smart meter advice,

(c) include adequate measures to ensure, so far as reasonably practicable, that benefits provided under the industry initiatives will be provided wholly or mainly to persons in fuel poverty or in a fuel poverty risk group, and

(d) will provide value for money.

Spending on industry initiatives which may be treated as incurred by a compulsory scheme electricity supplier

26.—(1) This regulation applies where a compulsory scheme electricity supplier ("C") is connected to one or more scheme gas suppliers on the qualifying date (referred to in this regulation as a "connected scheme gas supplier").

(2) For the purposes of this regulation, the qualifying date is 31st December preceding the start of the scheme year.

(3) If C is not connected to any other compulsory scheme electricity supplier on the qualifying date, C may treat any amount of spending incurred under regulation 24 by a connected scheme gas supplier in the relevant scheme year as an amount of spending incurred by C in that scheme year.

(4) If C is connected to one or more compulsory scheme electricity suppliers on the qualifying date (referred to in this regulation as a "connected compulsory scheme electricity supplier"), C may treat the specified percentage of any amount of spending incurred under regulation 24 by a connected scheme gas supplier in the relevant scheme year as an amount of spending incurred by C in that scheme year.

(5) For the purposes of paragraph (4), the "specified percentage" is C's number of GB domestic customers on the qualifying date as a percentage of the combined number of GB domestic customers of—

(a) C, and

(b) C's connected compulsory scheme electricity suppliers,

on that date.

Chapter 4

Specified activities

Types of spending: activities specified by the Secretary of State

27.—(1) A compulsory scheme electricity supplier may, in respect of any scheme year, count towards its non-core spending obligation financial contributions (excluding Value Added Tax) made by the supplier in the scheme year to fund a specified activity.

(2) A "specified activity" is an activity specified in a notice published by the Secretary of State.

(3) The Secretary of State may only specify an activity in a notice if the Secretary of State is satisfied that—

(a) the funding of the activity is open to contributions from any compulsory scheme electricity supplier,

(b) the activity is of a kind listed in the first column of the table in Part 1 of the Schedule, and does not fall within an exception in the second column of the table,

(c) the activity includes adequate measures to ensure, so far as reasonably practicable, that—

(i) every E&W domestic customer provided with benefits under the activity will be provided with energy advice and smart meter advice, and

(ii) benefits provided under the activity will be provided wholly or mainly to persons in fuel poverty or in a fuel poverty risk group, and

(d) the activity will provide value for money.

(4) But financial contributions made to fund a specified activity do not count towards a supplier's non-core spending obligation if they are—

(a) made pursuant to a requirement in—

(i) any other enactment, or

(ii) an electricity supply or gas supply licence, or

(b) counted by a scheme supplier towards a spending obligation or target imposed by—

(i) any other enactment, or

(ii) an electricity supply or gas supply licence.

(5) In addition, financial contributions to fund a specified activity may count towards a supplier's non-core spending obligation only if they are made after the Secretary of State has published the notice specifying the activity.

PART 5

Authority functions

Approvals by the Authority: procedure

28.—(1) This regulation applies to notifications to the Authority under regulation 6(5) or 25.

(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 whether or not to approve the notification, 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 whether or not to approve the notification, 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

29.—(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 of these Regulations;

(b) the total amount of spending on industry initiatives under Part 4 of these Regulations 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 of these Regulations 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

30.—(1) The Authority may request that a scheme supplier provide it with such information or evidence 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 on or before which the information or evidence is to be provided, and

(b) may specify the form in which any information is to be provided.

(3) A scheme supplier must comply with a request under paragraph (1).

Provision of information by the Authority

31.—(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) the 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.

PART 6

Review

Reviews of the Scheme

32.—(1) The Secretary of State must conduct a review of the Scheme, or any aspect of the Scheme, if the Secretary of State is satisfied that a review would be desirable in order to achieve greater reductions in fuel poverty or because—

(a) the Scottish Ministers have consulted, or are consulting, the Secretary of State in accordance with section 14A(5)(a) of the Energy Act 2010(**a**), or

(b) there has been a significant change in circumstances since the commencement day.

(2) The Secretary of State must conduct a review of regulation 6 if the Secretary of State is satisfied that a review would be desirable in order to—

(a) promote effective competition between suppliers, or

(b) protect the interests of GB domestic customers.

(3) The Secretary of State must conduct a review of any aspect of the Scheme if the Secretary of State is satisfied that a review would be desirable—

(a) to protect the interests of GB domestic customers who are in fuel poverty or in a fuel poverty risk group,

(b) because that aspect of the Scheme is not, or may not be, operating effectively, or

(c) because the effectiveness of that aspect of the Scheme could be improved.

(**a**) Section 14A was inserted by section 58(3) of the Scotland Act 2016 (c. 11).

PART 7

Amendment of the Disclosure of State Pension Credit Information (Warm Home Discount) Regulations 2011

Amendment of the Disclosure of State Pension Credit Information (Warm Home Discount) Regulations 2011

33.—(1) The Disclosure of State Pension Credit Information (Warm Home Discount) Regulations 2011(**a**) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1), for the definition of "the WHD (E&W) Regulations" substitute—

> ""the WHD (E&W) Regulations" means the Warm Home Discount (England and Wales) Regulations 2026;".

(3) In regulation 5 (disclosure of social security information by the Secretary of State)—

(a) in paragraph (1), for sub-paragraph (a) substitute—

> "(a) enabling the Secretary of State to give the supplier—
>
> (i) a standard rebate notice within the meaning of regulation 9(1)(a) of the WHD (E&W) Regulations, or
>
> (ii) a rebate notice within the meaning of regulation 8(1) of the WHD (Scotland) Regulations;".

(b) in paragraph (3), in the definition of "relevant information", after sub-paragraph (c) insert—

> "(d) information indicating that the condition in regulation 3(1B) is met in respect of that person;
>
> (e) if applicable, information indicating that the Secretary of State believes that person to a qualifying customer based on automated processing of data.".

Name
Parliamentary Under-Secretary of State
Department for Energy Security and Net Zero

Date

We consent

Names
Two of the Lords Commissioners of His Majesty's Treasury

Date

(**a**) S.I. 2011/1830, as amended by paragraph 446 of Schedule 24 to the Sentencing Act 2020 (c. 17) and S.I. 2015/652, 2016/806 and 2019/1458.

SCHEDULE

Regulations 23 to 25 and 27

Industry initiatives

PART 1

Table of industry initiatives

Column 1 – Type of initiative	Column 2 – Exceptions
Payments to organisations which refer to electricity or gas suppliers, or facilitate the referral of, E&W domestic customers who— (a) are in fuel poverty or in a fuel poverty risk group, and (b) are, or may be, eligible for a benefit under the Scheme or any other assistance from the supplier.	
Providing, or funding the provision by other persons of— (a) benefit entitlement checks for persons who are resident in England and Wales, or (b) benefit entitlement checks for persons who are resident in England and Wales and assistance to those persons in claiming benefits.	
Providing to E&W domestic customers, or funding the provision by other persons to E&W domestic customers of— (a) energy efficiency measures, (b) thermal efficiency measures, (c) energy efficient appliances, or (d) microgeneration.	A supplier may not count costs arising from the installation of a boiler or central heating system unless— (a) the boiler or central heating system— (i) is fuelled wholly by mains gas, (ii) generates heat wholly or mainly by means of a source of energy or technology mentioned in section 100(4) of the Energy Act 2008(**a**), or (iii) generates heat only by means of combustion of mains gas and a source of energy or technology mentioned in that section of that Act, (b) where the boiler or central heating system that is installed ("N") is fuelled wholly or partly by mains gas— (i) N replaces an existing boiler or central heating system which is fuelled (whether wholly or not) by mains gas, and

(**a**) 2008 c. 32. Subsection (4) of section 100 was amended by S.I. 2011/2195.

Column 1 – Type of initiative	Column 2 – Exceptions
	(ii) at least one person living in the domestic premises where N is installed— (aa) is aged 65 or over, (bb) is under compulsory school age, or (cc) has significant health problems or a disability which may be exacerbated by the cold, makes the person vulnerable to cold-related illness or means that the person spends the majority of their time in the premises, and (c) the installation meets the requirements of Part 2 of this Schedule. A supplier may not count costs arising from the carrying out of repairs to a boiler or central heating system unless the repairs meet the requirements of Part 2 of this Schedule.
Providing, or funding the provision by other persons of, energy advice to E&W domestic customers.	
Training persons, or funding the training of persons, to provide energy advice to E&W domestic customers.	A supplier may not count costs of training its own employees or contractors, or the employees or contractors of a company in the same group of companies as the supplier.
Providing assistance, or funding the provision by other persons of assistance, to reduce debts for electricity or gas supply to domestic premises, where such assistance is provided as part of a package of measures aimed at providing E&W domestic customers with long-term relief from fuel poverty.	A supplier may not count— (a) costs arising from a billing error by the supplier, or (b) the part of any costs of debt write-off in relation to an E&W domestic customer that exceeds £2,000 in a scheme year.
Making, or funding the making by other persons of, payments to eligible occupiers of mobile homes in England and Wales.	
Making, or funding the making by other persons of, payments towards the gas or electricity bills of E&W domestic customers who— (a) are living in domestic premises which are non-gas fuelled, (b) have significant health problems or a disability, (c) are living in domestic premises with a person who has significant health problems or a disability, (d) are living in a community where residents are wholly or mainly in fuel poverty, or in a fuel poverty risk group, or	A supplier may not count— (a) the part of any payment in relation to an E&W domestic customer that exceeds £150 in a scheme year, or (b) payments in relation to charges incurred by an E&W domestic customer before the date on which the payment was made.

Column 1 – Type of initiative	Column 2 – Exceptions
(e) are supplied with gas or electricity through a pre-payment meter.	

PART 2

Installation and repair requirements for boilers and central heating systems

Installation of boilers and central heating systems

1.—(1) The installation of a boiler or a central heating system meets the requirements of this Part if the conditions in sub-paragraph (2) or (3) are satisfied.

(2) The conditions in this sub-paragraph are—

(a) the boiler or central heating system is installed by, or under the responsibility of, a person who is registered with TrustMark for the purposes of installing boilers or central heating systems,

(b) a certificate of lodgement is issued by the operator of TrustMark in respect of the installation, and

(c) the installation adheres to the relevant TrustMark requirements for quality assurance and consumer protection, including installation standards and arrangements for repairs and other remedies, required by virtue of the TrustMark registration.

(3) The conditions in this sub-paragraph are that—

(a) the boiler or central heating system is installed subject to arrangements for quality assurance and consumer protection, including installation standards and arrangements for repairs and other remedies, which are equivalent to the requirements under TrustMark, and

(b) the installation adheres to those requirements.

(4) For the purposes of sub-paragraphs (2)(c) and (3)(b), the installation of a boiler or central heating system is deemed to adhere to the relevant TrustMark or equivalent requirements unless—

(a) the installation is referred for failing to meet the relevant requirements to the Authority by the operator of TrustMark or the equivalent person, and

(b) the referral is not withdrawn before 31st August following the end of the scheme year in which the boiler or central heating system is installed.

Repairs to boilers and central heating systems

2.—(1) Repairs to a boiler or a central heating system meet the requirements of this Part if the conditions in sub-paragraph (2) are satisfied.

(2) The conditions in this sub-paragraph are—

(a) the boiler or central heating system is repaired by, or under the responsibility of, a person who is registered with TrustMark for the purposes of repairing boilers or central heating systems, and

(b) a certificate of lodgement is issued by the operator of TrustMark in respect of the repairs.

PART 3

Interpretation

Interpretation

3.—(1) In this Schedule—

"certificate of lodgement" means a document entitled "TrustMark Certificate of Lodgement" which sets out the address at which a measure has been installed or repaired and the type of measure;

"mains gas" means a supply of a kind mentioned in section 5(1)(b) of the Gas Act 1986;

"TrustMark" means the scheme of that name operated by TrustMark (2005) Limited, a company registered in England and Wales with company number 05480144.

(2) For the purposes of this Schedule, the occupier of a mobile home ("P") is an eligible occupier in relation to a scheme year if—

(a) P occupies the mobile home as their sole or main residence, and

(b) P or, where both P and P's partner occupy the mobile home as their sole or main residence,, P or P's partner meets the criteria described in the eligibility statement for the scheme year.

(3) For the purposes of sub-paragraph (2)—

"mobile home" has the meaning given in section 5 of the Mobile Homes Act 1983(**a**);

"occupier" has the meaning given in section 1 of the Mobile Homes Act 1983.

(4) For the purposes of this Schedule, premises are non-gas fuelled if the main space heating system is not—

(a) fuelled by mains gas, or

(b) a district heating system.

(5) For the purposes of sub-paragraph (4), a "district heating system" is a system which delivers heat through pipes or conduits to two or more domestic premises.

(**a**) 1983 c. 34.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the further continuation in England and Wales of the scheme to reduce fuel poverty ("the Scheme") established by the Warm Home Discount Regulations 2011 and continued in England and Wales by the Warm Home Discount (England and Wales) Regulations 2022 ("the 2022 Regulations"). These Regulations re-enact with amendments the provisions made by the 2022 Regulations to continue the Scheme in England and Wales until 31st March 2030. The Scheme will continue to be administered and enforced by the Gas and Electricity Markets Authority ("the Authority").

The Scheme continues to place obligations on electricity suppliers ("compulsory scheme electricity suppliers") who have, or are part of a group of electricity or gas supply companies which together has, at least 1,000 domestic customers to incur spending in each scheme year on the provision of benefits to customers in or at risk of fuel poverty. "Scheme year" is defined in regulation 3 of the Regulations.

Part 3 requires compulsory scheme electricity suppliers, and other electricity suppliers who opt into this Part, to provide rebates of £150 to customers specified by the Secretary of State ("core group customers"). A person can only be specified as a core group customer if the person appears to the Secretary of State to (i) be the owner or occupier of domestic premises in England or Wales at which the person is supplied with electricity or gas wholly or mainly for domestic purposes, (ii) occupy those premises as their sole or main residence, and (iii) meet, or, where the person lives with their partner, to be the partner of a person who meets, the eligibility criteria published by the Secretary of State in accordance with regulation 10.

Specific provision is made to enable persons who would ordinarily occupy premises as their sole or main residence but are in hospital, a care home or a hospice temporarily to be treated as continuing to occupy the relevant premises (see regulation 2 of the Regulations).

Part 4 requires compulsory scheme electricity suppliers to incur other spending for the purposes of reducing fuel poverty. Chapter 1 provides for the calculation, and adjustment, of the amount of spending that suppliers must incur under this Part. Chapter 2 provides for the types of spending which may be incurred (industry initiatives (Chapter 3) and specified activities (Chapter 4)) and the amounts which may be incurred on the various types of spending.

Part 5 contains supplementary provisions about procedure for matters required to be approved by the Authority, determination by the Authority of the amounts spent by suppliers, the provision of information to the Authority by suppliers and the provision of information by the Authority to the Secretary of State.

Part 6 makes provision for reviews of the Scheme by the Secretary of State.

Part 7 contains consequential provisions.

A full impact assessment of the effect that this instrument will have on the costs of business and the public sector has been produced and is available at www.legislation.gov.uk. Hard copies of the impact assessment can be obtained from the Warm Home Discount Team, Department for Energy Security and Net Zero, 55 Whitehall, London SW1A 2HP.

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Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-827908-5

£8.90

http://www.legislation.gov.uk/id/ukdsi/2026/9780348279085