Groupings of Amendments for Stage 3

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated at Stage 3, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

### Group 1: Fuel poverty target: local authority areas

1, 2, 20, 22, 72, 6, 7, 8, 9, 10, 46, 11, 13, 14

**Notes on amendments in this group**
- Amendment 2 pre-empts amendment 66 in group “2032 fuel poverty target”
- Amendment 72 pre-empts amendment 73 in group “2032 fuel poverty target”
- Amendment 6 pre-empts amendment 82 in group “2032 fuel poverty target”
- Amendment 7 pre-empts amendment 84 in group “2032 fuel poverty target”
- Amendment 8 pre-empts amendment 86 in group “2032 fuel poverty target”

### Group 2: 2032 fuel poverty target


**Notes on amendments in this group**
- Amendment 66 is pre-empted by amendment 2 in group “Fuel poverty target: local authority areas”
- Amendment 73 is pre-empted by amendment 72 in group “Fuel poverty target: local authority areas”
- Amendment 82 is pre-empted by amendment 6 in group “Fuel poverty target: local authority areas”
- Amendment 84 is pre-empted by amendment 7 in group “Fuel poverty target: local authority areas”
- Amendment 86 is pre-empted by amendment 8 in group “Fuel poverty target: local authority areas”
GROUP 3: MODIFICATION OF 2040 TARGET
67, 68, 69, 70

Debate to end no later than 40 minutes after proceedings begin

GROUP 4: INTERIM FUEL POVERTY TARGET
3, 4, 12

GROUP 5: ENHANCED HEATING
15, 16, 17

GROUP 6: MEANING OF FUEL POVERTY: BENEFITS RECEIVED FOR A CARE NEED OR DISABILITY
18, 19

Debate to end no later than 1 hour 20 minutes after proceedings begin

GROUP 7: STRATEGY AND PERIODIC REPORTS: APPROACH TO ADDRESSING THE DRIVERS OF FUEL POVERTY AND DEFINITIONS OF THOSE DRIVERS
21, 74, 75, 76, 23, 24, 25, 26, 27, 28, 78, 77, 79, 33, 81, 42, 83, 85, 43, 87, 47, 97

GROUP 8: STRATEGY AND PERIODIC REPORTS: CONSULTATION AND REVISION
29, 30, 31, 32, 34, 35, 80, 36, 37, 38, 39, 40, 41, 44, 45, 90, 95, 98

Debate to end no later than 2 hours after proceedings begin

GROUP 9: SCOTTISH FUEL POVERTY ADVISORY PANEL
96, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59, 60, 60A, 61, 62

GROUP 10: COMMENCEMENT
64

Debate to end no later than 2 hours 30 minutes after proceedings begin
Amendments in debating order

Group 1: Fuel poverty target: local authority areas

Graham Simpson
1 In section 1, page 1, line 5, at end insert—
   <( ) This section makes provision for the 2040 fuel poverty targets.>

Graham Simpson
2 In section 1, page 1, line 13, leave out subsection (1A) and insert—
   <(1A) The target is that in the year 2040, as far as reasonably possible no household in any
   local authority area in Scotland is in fuel poverty and, in any event, the objectives set out
   in paragraphs (a) to (c) of subsection (1) are met in relation to households in each local
   authority area.>

Kevin Stewart
20 In section 3, page 5, line 19, after <take> insert <or consider should be taken>

Kevin Stewart
22 In section 3, page 5, line 21, after <take> insert <or consider should be taken>

Graham Simpson
72 In section 3, page 5, line 21, leave out <to ensure that the 2040 target is met> and insert <towards
   meeting the fuel poverty targets>

Graham Simpson
6 In section 6, page 7, line 11, leave out from second <(including> to end of line 13

Graham Simpson
7 In section 6, page 7, line 15, leave out from <(including> to <area)> in line 16

Graham Simpson
8 In section 6, page 7, line 19, leave out from <(including> to end of line 21

Graham Simpson
9 In section 6, page 7, line 21, at end insert—
   <(1A) A report under subsection (1) must also set out, with respect to meeting the 2040 target
   in relation to each local authority area in Scotland—
   (a) the steps that have been taken during the reporting period for the purpose of
       meeting that target,
   (b) the progress made in that period towards meeting that target, and
   (c) the steps that the Scottish Ministers propose to take or consider should be taken in
       the next reporting period in order to meet that target.>
In section 6, page 7, line 30, leave out <purpose of paragraph (c) of subsection (1)> and insert <purposes of subsections (1)(c) and (1A)(c)>

Kevin Stewart

In section 6, page 7, line 33, after <take> insert <or consider should be taken>

Graham Simpson

After section 9, insert—

<Report on the 2040 target in relation to each local authority area>

(1) The Scottish Ministers must, no later than 31 December 2043, lay before the Scottish Parliament a report on the 2040 target in relation to each local authority area in Scotland.

(2) The report must include—

(a) such information as the Scottish Ministers can reasonably obtain as to whether the 2040 target in relation to each local authority area in Scotland has been met, and

(b) combined data about the percentage of households in each local authority area in fuel poverty in the period 2040 to 2042.

(3) The report may contain such other information as the Scottish Ministers consider appropriate.>

Graham Simpson

In section 12A, page 10, line 26, leave out <section 1> and insert <section 1(1)>

Graham Simpson

In section 12A, page 10, line 26, at end insert—

<“the 2040 target in relation to each local authority area in Scotland” means the target set out in section 1(1A),”>

Group 2: 2032 fuel poverty target

Alex Rowley

1A As an amendment to amendment 1, line 2, leave out <2040> and insert <2032>

Alex Rowley

65 In section 1, page 1, line 6, leave out <2040> and insert <2032>

Alex Rowley

2A As an amendment to amendment 2, line 2, leave out <2040> and insert <2032>

Alex Rowley

66 In section 1, page 1, line 13, leave out <2040> and insert <2032>
Alex Rowley
71 In section 1A, page 1, line 19, leave out <2030> and insert <2026>

Alex Rowley
73 In section 3, page 5, line 21, leave out <2040> and insert <2032>

Alex Rowley
82 In section 6, page 7, line 12, leave out <2040> and insert <2032>

Alex Rowley
84 In section 6, page 7, line 15, leave out <2040> and insert <2032>

Alex Rowley
86 In section 6, page 7, line 20, leave out <2040> and insert <2032>

Alex Rowley
9A As an amendment to amendment 9, line 2, leave out <2040> and insert <2032>

Alex Rowley
88 In section 6, page 7, line 25, leave out <2040> and insert <2032>

Alex Rowley
89 In section 6, page 7, line 31, leave out <2040> and insert <2032>

Alex Rowley
91 In section 9, page 8, line 14, leave out <2042> and insert <2034>

Alex Rowley
92 In section 9, page 8, line 15, leave out <2040> and insert <2032>

Alex Rowley
93 In section 9, page 8, line 17, leave out <2040> and insert <2032>

Alex Rowley
94 In section 9, page 8, line 18, leave out <2040> and insert <2032>

Alex Rowley
11A As an amendment to amendment 11, line 2, leave out <2040> and insert <2032>

Alex Rowley
11B As an amendment to amendment 11, line 3, leave out <2043> and insert <2035>

Alex Rowley
11C As an amendment to amendment 11, line 4, leave out <2040> and insert <2032>
Alex Rowley

11D  As an amendment to amendment 11, line 8, leave out <2040> and insert <2032>

Alex Rowley

11E  As an amendment to amendment 11, line 10, leave out <2040> and insert <2032>

Alex Rowley

11F  As an amendment to amendment 11, line 10, leave out <2042> and insert <2037>

**Group 3: Modification of 2040 target**

Alex Rowley

67  In section 1, page 1, line 15, leave out <change> and insert <modify>

Alex Rowley

68  In section 1, page 1, line 15, after <year> insert <set out in subsection (1) or (1A)>

Alex Rowley

69  In section 1, page 1, line 17, at end insert <or could reasonably be met earlier>

Alex Rowley

70  In section 1, page 1, line 17, at end insert—

\(<( ) \text{ Regulations under subsection (1B) may modify—}\>

\(\quad (a) \text{ the date specified in subsections (3) and (5) of section 6,}\)

\(\quad (b) \text{ the reporting date specified in section 9(1) or, as the case may be, section }\) 

\(\quad \text{(report on the 2040 target in relation to each local authority area}(1),}\)

\(\quad (c) \text{ the years specified in section }\) 

\(\quad \text{(report on the 2040 target in relation to each local authority area}(2)(b).}\>

**Group 4: Interim fuel poverty target**

Graham Simpson

3  In section 1A, page 1, line 18, at end insert—

\(<( ) \text{ This section makes provision for a number of interim fuel poverty targets.}\>

Graham Simpson

4  In section 1A, page 1, line 24, at end insert—

\(<( ) \text{ The target is that in the year 2035—}\>

\(\quad (a) \text{ no more than } 10\% \text{ of households in Scotland are in fuel poverty,}\)

\(\quad (b) \text{ no more than } 3\% \text{ of households in Scotland are in extreme fuel poverty,}\)
(c) the median fuel poverty gap of households in Scotland in fuel poverty is no more than £300 adjusted in accordance with section 2B(5) to take account of changes in the value of money.

Graham Simpson

12 In section 9A, page 8, leave out line 28

Group 5: Enhanced heating

Jackie Baillie

15 In section 2, page 2, line 15, leave out <is> and insert <temperatures are>

Jackie Baillie

16 In section 2, page 2, line 22, leave out <is> and insert <hours are>

Jackie Baillie

17 In section 2, page 2, line 28, leave out <enhanced heating is appropriate.> and insert <-

(a) enhanced heating temperatures,

(b) enhanced heating hours,

are appropriate.>

Group 6: Meaning of fuel poverty: benefits received for a care need or disability

Kevin Stewart

18 In section 2, page 3, line 26, at end insert—

<( ) section 68 of the Social Security Contributions and Benefits Act 1992 (severe disablement allowance),>

Kevin Stewart

19 In section 2A, page 4, line 21, after first <costs> insert <, benefits received for a care need or disability (if any)>

Group 7: Strategy and periodic reports: approach to addressing the drivers of fuel poverty and definitions of those drivers

Andy Wightman

21 In section 3, page 5, line 20, at end insert—

<(zaa)set out the approach the Scottish Ministers intend to take in relation to each of the four drivers of fuel poverty to ensure that the fuel poverty targets are met,>
In section 3, page 5, line 28, leave out <or>

In section 3, page 5, line 28, at end insert—

<(ia) are likely to be in fuel poverty in consequence of being the type of household for which enhanced heating is appropriate, or>

In section 3, page 5, line 29, at end insert—

<(cza)set out the approach to addressing fuel poverty in households falling into subsection 2(c)(ia),>

In section 3, page 5, line 30, after <approach> insert <the Scottish Ministers intend to take>

In section 3, page 5, line 30, leave out <with low levels of energy efficiency>

In section 3, page 5, line 31, at end insert—

<( ) which are used as homes by a household in fuel poverty,>

In section 3, page 5, line 32, leave out <requiring improvements> and insert <where improvements would be required>

In section 3, page 5, line 35, leave out <and cost effective> and insert <, cost effective and affordable>

In section 3, page 5, line 35, leave out <such a performance certificate> and insert <an energy performance certificate band C or higher>

In section 3, page 6, line 1, after <to> insert—

<(a) improve energy efficiency in housing—

(i) in owner occupation,

(ii) subject to a tenancy within the meaning of section 1 of the Private Housing (Tenancies) (Scotland) Act 2016,

(iii) where the landlord is a local authority landlord within the meaning of the Housing (Scotland) Act 2001,
(iv) where the landlord is a registered social landlord (being a body registered in the register maintained under section 20(1) of the Housing (Scotland) Act 2010),

(v) in multiple occupation within the meaning of section 125 of the Housing (Scotland) Act 2006,

(vi) subject to a Scottish secure tenancy or a short Scottish secure tenancy,

(vii) which is on land comprised in a lease constituting—

(A) a 1991 Act tenancy (within the meaning of the Agricultural Holdings (Scotland) Act 2003),

(B) a short limited duration tenancy (within the meaning of that Act),

(C) a limited duration tenancy (within the meaning of that Act),

(D) a modern limited duration tenancy (within the meaning of that Act),

(E) a repairing tenancy (within the meaning of that Act),

(viii) subject to multiple types of tenancies,

(ix) of such other type as the Scottish Ministers may prescribe in regulations,

(b)>

Alexander Burnett

77 In section 3, page 6, line 2, after <poverty> insert <to ensure that the fuel poverty targets are met>

Pauline McNeill

79 In section 3, page 6, line 2, at end insert—

<(2AA)The Scottish Ministers must, in setting out an approach under subsection (2A)(a), also set out what financial and fiscal incentives will be afforded to the owners of the types of housing listed under subsection (2A)(a) to improve the energy efficiency of the housing they own.>

Andy Wightman

33 In section 3, page 6, line 9, at end insert—

<(( ) For the purposes of subsection (2)(zaa) “four drivers of fuel poverty” has the same meaning as in section 9A(11).>

Alexander Burnett

81 In section 6, page 7, line 11, after <steps> insert <and what steps have been taken for the purpose of removing low levels of energy efficiency as a driver of fuel poverty>

Andy Wightman

42 In section 6, page 7, line 13, at end insert—

<(aa) the steps that have been taken in the reporting period to address the four drivers of fuel poverty for the purpose of meeting the fuel poverty targets,>
In section 6, page 7, line 14, after <targets> insert <(including what progress has been made in removing low levels of energy efficiency as a driver of fuel poverty)>

In section 6, page 7, line 19, after first <steps> insert <and what steps the Scottish Ministers propose to take for the purpose of removing low levels of energy efficiency as a driver of fuel poverty>

In section 6, page 7, line 21, at end insert—
<(ca) the steps that the Scottish Ministers propose to take in the next reporting period to address the four drivers of fuel poverty for the purpose of meeting the fuel poverty targets,>

In section 6, page 7, line 21, at end insert—
<(  ) the effectiveness of any financial or fiscal incentives contained within the strategy under section 3(2AA) in encouraging the owners of the types of housing listed under section 3(2A)(a) to improve the energy efficiency of the housing they own.>

In section 6, page 7, line 37, at end insert—
<(  ) For the purposes of subsection (1)(aa) “four drivers of fuel poverty” has the same meaning as in section 9A(11).>

In section 9A, page 9, leave out lines 18 to 21 and insert—
<(a) low net adjusted household incomes,  
(b) high household fuel prices,  
(c) homes having low levels of energy efficiency,  
(d) inefficient use of fuel in homes.  
(12) For the purpose of subsection (11), “adjusted”, “household” and “net income” have the same meanings as in section 2(6).>

In section 3, page 6, line 5, at end insert <and may at any time revise it>

In section 3, page 6, line 5, at end insert—
<( ) Unless the context requires otherwise, a reference in this Act to the fuel poverty strategy includes a reference to the fuel poverty strategy as revised following a review under subsection (4).>

Kevin Stewart
31 In section 3, page 6, line 6, leave out <first>

Kevin Stewart
32 In section 3, page 6, line 6, leave out <or any revised strategy>

Kevin Stewart
34 In section 4, page 6, line 11, leave out <and any revised strategy>

Jackie Baillie
35 In section 4, page 6, line 15, at end insert—
    <( ) disabled people,
    ( ) people with long-term illness,
    ( ) older people,
    ( ) individuals living in rural areas.>

Alex Rowley
80 In section 4, page 6, line 15, at end insert—
    <( ) the Scottish Fuel Poverty Advisory Panel.>

Kevin Stewart
36 In section 4, page 6, line 20, leave out <and any proposed revised strategy>

Kevin Stewart
37 In section 4, page 6, line 22, at beginning insert <in the case of the first strategy,>

Kevin Stewart
38 In section 4, page 6, line 24, leave out <proposed>

Kevin Stewart
39 In section 4, page 6, line 25, leave out <or any revised strategy>

Kevin Stewart
40 In section 4, page 6, line 27, leave out <or, as the case may be, proposed revised strategy>

Kevin Stewart
41 In section 5, page 6, line 33, leave out <and any revised strategy>

Kevin Stewart
44 In section 6, page 7, line 27, after third <the> insert <first>
Kevin Stewart

45 In section 6, page 7, line 27, leave out <or any revised strategy>

Alex Rowley

90 In section 7, page 8, line 7, at end insert—

<( ) the Scottish Fuel Poverty Advisory Panel.>

Alex Rowley

95 In section 9A, page 8, line 23, leave out <(in this Act referred to as “the Panel”)> 

Alex Rowley

98 In section 12A, page 10, line 27, at end insert—

<“the Scottish Fuel Poverty Advisory Panel” means the Panel established under section 9A(1).>

Group 9: Scottish fuel poverty advisory panel

Alex Rowley

96 In section 9A, page 9, line 2, at end insert—

<( ) The Panel may from time to time provide advice to a committee of the Scottish Parliament with the subject of fuel poverty within its remit on—

(a) the matters mentioned in subsection (3),

(b) such other matters as are prescribed in regulations under subsection (6).>

Kevin Stewart

48 In section 9A, page 9, line 3, leave out <make> to end of line 4 and insert <—

(a) make further provision about the Panel,

(b) make provision about the dissolution of the Panel after the target year for the time being mentioned in section 1 has passed.>

Kevin Stewart

49 In section 9A, page 9, line 5, leave out <(6)> and insert <(6)(a) or (as the case may be) (b)>

Kevin Stewart

50 In section 9A, page 9, line 5, at end insert <, in particular>

Kevin Stewart

51 In section 9A, page 9, line 6, leave out <specify> and insert <make provision about>

Kevin Stewart

52 In section 9A, page 9, line 6, at end insert <(including the process for appointment of members)>
Kevin Stewart

53 In section 9A, page 9, line 7, leave out <specify> and insert <make provision about the>

Kevin Stewart

54 In section 9A, page 9, line 7, leave out <to be> and insert <that may be>

Kevin Stewart

55 In section 9A, page 9, line 9, leave out <about> and insert <relating to>

Kevin Stewart

56 In section 9A, page 9, line 10, at end insert—

<(  ) modify any enactment (including this Act).>

Kevin Stewart

57 In section 9A, page 9, line 11, leave out subsections (8) and (9)

Kevin Stewart

59 In section 9A, page 9, line 15, leave out <(6)> and insert <(6)(a)>

Kevin Stewart

60 After section 9A, insert—

<Funding of the Scottish Fuel Poverty Advisory Panel>

(1) Subject to subsection (2), the Scottish Ministers must provide such financial resources as they consider necessary to support the operation of the Scottish Fuel Poverty Advisory Panel.

(2) The total costs for the operation of the Panel must not exceed £82,000, adjusted in accordance with subsection (3), in any operating period.

(3) For the purpose of subsection (2), the sum of £82,000 is to be adjusted to reflect the percentage increase (if any) in the annual average consumer prices index from the day on which this section comes into force.

(4) In subsection (3), the consumer prices index means the all consumer prices index published by the Office of National Statistics.

(5) The Scottish Ministers may by regulations amend this section to replace references to one prices index with references to another.

(6) In this section, an “operating period” is—

(a) the period of 3 years beginning with the day on which this section comes into force,

(b) each subsequent period of 3 years.>

Andy Wightman

60A As an amendment to amendment 60, line 13, after <amend> insert <—

(a) the figure mentioned in subsection (2), and

(b)>
Kevin Stewart

61 In section 11, page 9, line 34, leave out <9A(6)> and insert <9A(6)(a) or (b)>

Kevin Stewart

62 In section 11, page 9, line 34, after <9A(6)> insert <(funding of the Scottish Fuel Poverty Advisory Panel)(5)>

Group 10: Commencement

Andy Wightman

64 In section 13, page 10, line 29, leave out first <Section> and insert <Sections 1, 1A,>