

STATES OF JERSEY



EXTENSION OF COLD WEATHER BONUS (P.64/2023): AMENDMENT

Lodged au Greffe on 26th September 2023
by Deputy B.B. de S.DV.M. Porée of St. Helier South
Earliest date for debate: 3rd October 2023

STATES GREFFE

EXTENSION OF COLD WEATHER BONUS (P.64/2023)–
AMENDMENT

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For the existing paragraph substitute the following -

“that eligibility for the Cold Weather Bonus, or any similar financial support scheme that is proposed or implemented by the Government, should be extended to include those who are in receipt of 100% Long-Term Incapacity Allowance, who are below pensionable age and who have been ordinarily resident in Jersey for a continuous period of 5 years, and who otherwise qualify under paragraphs 2, 3 and 5 of Article 3 of the Schedule to the Social Security (Bonus) (Jersey) Law 2014, and to request the Minister for Social Security to take all necessary actions to allow the measures to be implemented by January 2024.”

DEPUTY B.B. DE S.V.M. PORÉE OF ST. HELIER SOUTH

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

“that eligibility for the Cold Weather Bonus, or any similar financial support scheme that is proposed or implemented by the Government, should be extended to include those who are in receipt of 100% Long-Term Incapacity Allowance, who are below pensionable age and who have been ordinarily resident in Jersey for a continuous period of 5 years, and who otherwise qualify under paragraphs 2, 3 and 5 of Article 3 of the Schedule to the Social Security (Bonus) (Jersey) Law 2014, and to request the Minister for Social Security to take all necessary actions to allow the measures to be implemented by January 2024.”

REPORT

This amendment is brought to ensure that there is no potential ambiguity arising from the wording of the original proposition.

For the avoidance of doubt the eligibility criteria for the Cold Weather Bonus is not being replaced but is being extended to include a provision for individuals who are in receipt of 100% Long Term Incapacity Allowance.

Whilst not intending to pre-empt law drafting in any way, the effect of this amendment would broadly alter Article 3(4) of the Schedule to the Social Security (Bonus)(Jersey) Law 2014 along the lines indicated by the highlighted sections below –

- (4) The third condition is that at least one member of the household, before the end of the relevant series of cold weather months –
 - (a) is an adult who is over pensionable age, or is in receipt of 100% LTIA; and
 - (b) subject to sub-paragraphs (6) to (8) –
 - (i) in the case of a person who is in receipt of a Jersey old age pension, has been ordinarily resident in Jersey for a continuous period of 5 years, or
 - (ii) in the case of a person who is over pensionable age but not in receipt of a Jersey old age pension, has been ordinarily resident in Jersey for a continuous period of 10 years, or
 - (iii) in the case of a person in receipt of 100% LTIA, has been ordinarily resident in Jersey for a continuous period of 5 years

The amendment, therefore, has no effect on the principle of the original proposition and is intended to provide additional clarity.

Financial and staffing implications

There are no financial/staffing implications to this amendment.