

STATES OF JERSEY

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DRAFT SOCIAL SECURITY (TELEVISION LICENCE BENEFIT) (JERSEY) LAW 200-

**Lodged au Greffe on 4th April 2006
by the Minister for Social Security**

STATES GREFFE



Jersey

DRAFT SOCIAL SECURITY (TELEVISION LICENCE BENEFIT) (JERSEY) LAW 200-

European Convention on Human Rights

The Minister for Social Security has made the following statement –

In the view of the Minister for Social Security the provisions of the Draft Social Security (Television Licence Benefit) (Jersey) Law 200- are compatible with the Convention Rights.

(Signed) **Senator P.F. Routier**

REPORT

During the 2006 Budget Debate, the States approved Senator M. Vibert's amendment (P.266/2005) to fund the payment of Television Licences for people who have attained the age of 75, are on a comparatively low income and live in domestic dwellings. The amendment further proposed that an income bar be introduced and that the relevant income levels be £12,770 for a single person and £20,720 for a married couple.

In February 2006 a report was lodged by the Minister for Social Security which outlined the framework of the Television licence scheme (MD-S-2006-0018). The legislative framework under which the scheme will operate is set out in the Social Security (Television Licence Benefit) (Jersey) Regulations 200-.

The Social Security (Television Licence Benefit) (Jersey) Regulations 200- permits the making of Regulations providing for certain persons to be entitled to be paid, or have paid on their behalf, the amount of the fee for issue of a licence in relation to a television, and for related matters.

There are no financial or manpower implications for the States resulting from the adoption of this draft Law.

European Convention on Human Rights

Article 16 of the Human Rights (Jersey) Law 2000 will, when brought into force by Act of the States, require the Minister in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). Although the Human Rights (Jersey) Law 2000 is not yet in force, on 29th March 2006 the Minister for Social Security made the following statement before Second Reading of this Projet in the States Assembly –

In the view of the Minister for Social Security the provisions of the Draft Social Security (Television Licence Benefit) (Jersey) Law 200- are compatible with the Convention Rights.

Explanatory Note

This Law provides for the making of Regulations to permit the payment of a television licence benefit to, or on behalf of, certain persons.

Such Regulations are currently to be provided for by way of Triennial Regulations (the Social Security (Television Licence Benefit) (Jersey) Regulations 200-). This Law will enable those Regulations, or Regulations of a similar kind, to be enacted under this Law so that there may be such Regulations in place after the Triennial Regulations cease to be valid.

The Law shall come into force 7 days after it is registered.



Jersey

DRAFT SOCIAL SECURITY (TELEVISION LICENCE BENEFIT) (JERSEY) LAW 200-

A LAW to permit the making of Regulations providing for certain persons to be entitled to be paid, or have paid on their behalf, the amount of the fee for issue of a licence in relation to a television, and for related matters.

Adopted by the States [date to be inserted]

Sanctioned by Order of Her Majesty in Council [date to be inserted]

Registered by the Royal Court [date to be inserted]

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

1 Power of States to make Regulations

- (1) The States may make Regulations providing for a scheme to enable persons of a specified class to be entitled to be paid, or have paid on their behalf, the amount of the fee paid or payable for the grant of a licence to permit under an enactment of the United Kingdom the possession or use of a television in the premises in which the person resides.
- (2) Without limiting the generality of paragraph (1), Regulations made under this Law may–
 - (a) set out the criteria for eligibility for the payment of an amount paid or payable for the grant of a licence of the kind referred to in paragraph (1);
 - (b) set out the amounts payable to persons under the Regulations and how the amounts may be paid;
 - (c) provide that the Minister may appoint agents to act on behalf of persons in relation to the grant and receipt of amounts under the Regulations;
 - (d) set out offences and the penalties for offences against the Regulations;
 - (e) provide for reviews of decisions of persons under the Regulations to grant or to refuse to grant amounts under the Regulations;
 - (f) enable appeals (including appeals to a body or tribunal established by or under another Law) to be made against decisions of persons reviewing decisions in accordance with sub-paragraph (e).
- (3) Without limiting the generality of paragraph (1), Regulations made under this Law may provide for the making of Orders by a Minister for the purpose of –
 - (a) altering any income amount specified in the Regulations as a criterion for eligibility for the grant of an amount under the Regulations; and
 - (b) modifying the application, in relation to an appeal under Regulations made under this Law, of a Law, or an enactment made under a Law, relating to the conduct of appeals by a body or

tribunal to which an appeal under these Regulations may be made.

2 Citation and commencement

- (1) This Law may be cited as the Social Security (Television Licence Benefit) (Jersey) Law 200-.
- (2) This Law shall come into operation 7 days after its registration.

