

STATES OF JERSEY



Jersey

DRAFT COLD WEATHER BONUS AND PAYMENTS (MISCELLANEOUS AMENDMENTS) (JERSEY) REGULATIONS 202-

**Lodged au Greffe on 2nd August 2022
by the Minister for Social Security
Earliest date for debate: 13th September 2022**

STATES GREFFE

REPORT

The Cold Weather Bonus and Cold Weather Payments are benefits which provide extra financial support for heating costs to eligible Islanders during the winter months.

The Cold Weather Bonus provides assistance to lower income pensioner households not claiming Income Support. The Cold Weather Payments provide similar assistance to some Income Support households. One payment is made per household.

Usually, both benefits are only payable if temperatures during winter months drop below a certain level (15.5 Degrees Celsius.). The average value of the monthly payments in the past several years has been approximately £35 for each winter month, and it is unusual for payments to be made every month.

The average monthly payment value for 2021/22 was £29.39, with payments triggered in 6 months, ranging from a minimum of £15.67 to a maximum of £56.83.

As part of the mini-budget (P.80/2022) to assist with the cost of living, the Council of Ministers has decided to set both these benefits at a fixed payment value for this winter (October 2022 to March 2023) – regardless of temperature – for this winter period the value will be set at £70 per month.

Therefore, the Minister for Social Security has decided to lodge amending Regulations which, if adopted, will make changes to cold weather bonus and payments for this coming winter period.

This temporary change to legislation aims to give eligible Islanders greater assistance with the cost of heating for the upcoming winter. Payments will be made in respect of each month from October 2022 to March 2023 inclusive.

Next winter, the benefit will revert to its usual formula, taking full account of the increase in fuel costs since 2021.

These Regulations will involve changes to 2 pieces of legislation – the [Social Security \(Bonus\) Law 2014](#) and the [Income Support \(Special Payments\) \(Cold Weather Payments\) \(Jersey\) Regulations 2008](#).

This decision supports one element of the “mini-budget” being brought forward by the Council of Ministers as part of the [100 Day Plan](#) to tackle some of the impact being felt by Islanders due to the rising cost of living.

Financial and manpower implications

Setting a fixed monthly value of £70 requires an additional £0.4M in 2022 and £0.4M in 2023. Funding in 2022 will be drawn from existing allocated Tax Funded departmental budgets. The additional funding of £0.4 million will be incorporated into the proposed Government Plan 2023-26 to support the additional cost for January to March 2023. There are no manpower implications.

EXPLANATORY NOTE

The Cold Weather Bonus and Payments (Miscellaneous Amendments) (Jersey) Regulations 202-, if passed, would amend the Income Support (Special Payments) (Cold Weather Payments) (Jersey) Regulations 2008 (the “2008 Regulations”) and the Social Security (Bonus) (Jersey) Law 2014 (the “2014 Law”). The amendments relate to the cold weather payments under the 2008 Regulations and the cold weather bonus under the 2014 Law. For a temporary period running from October 2022 to the end of March 2023 (“cold weather months”), the current formula for the calculation of the payments and bonus for these cold weather months is replaced by a fixed amount of £70. On the expiry of these temporary amendments at the end of April 2023, the formula for the calculation of the cold weather payments and bonus from October 2023 onwards is reinstated with an updated figure for RPI.

These Regulations come into force 7 days after they are made.



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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES make these Regulations under Articles 8 and 18 of the [Income Support \(Jersey\) Law 2007](#) and Article 4 of the [Social Security \(Bonus\) \(Jersey\) Law 2014](#) –

PART 1

AMENDMENT OF THE INCOME SUPPORT (SPECIAL PAYMENTS) (COLD WEATHER PAYMENTS) (JERSEY) REGULATIONS 2008

1 Application of Part 1

This Part amends the [Income Support \(Special Payments\) \(Cold Weather Payments\) \(Jersey\) Regulations 2008](#).

2 Regulation 2 (special payments to meet heating costs) amended

For Regulation 2(4)(a) there is substituted –

“(a) for each cold weather month from October 2023 to April 2024 inclusive, £191.60;”.

3 Temporary modification of Regulation 2

After Regulation 2 there is inserted –

“2A Temporary modification of Regulation 2 – October 2022 to end April 2023

- (1) From 1st October 2022 up to, and including, 30th April 2023, this Regulation applies instead of Regulation 2.
- (2) A special payment may be made to defray the expenses of heating a dwelling for any month from and including the months of October

- to March to any household occupying that dwelling where a member of the household throughout that month –
- (a) was under the age of 3 years;
 - (b) was over the age of 65 years;
 - (c) met the criteria for the personal care element of the impairment component under paragraph 6(1)(c) of Schedule 1 to the [Income Support \(Jersey\) Regulations 2007](#); or
 - (d) was a child who met the criteria in Regulation 3(a) of the [Income Support \(Special Payments\) \(Child Personal Care\) \(Jersey\) Regulations 2014](#).
- (3) However, no payment may be made under this Regulation unless throughout that month the household concerned –
- (a) was in receipt of income support;
 - (b) was entitled to a special component under Article 5(3)(a) of the Law or resided in the same dwelling as another household that was entitled to a special component under Article 5(3)(a) of the Law; and
 - (c) occupied a dwelling other than a hostel or lodgings.
- (4) The amount of a special payment under this Regulation is £70.
- (5) If a dwelling is occupied by 2 or more households entitled to a special payment under this Regulation –
- (a) only one special payment is payable in respect of the dwelling; and
 - (b) the special payment is divided equally between all the households entitled to it.
- (6) This Regulation expires at the end of April 2023.”.

PART 2

AMENDMENT OF THE SOCIAL SECURITY (BONUS) (JERSEY) LAW 2014 AND CLOSING PROVISION

4 Application of Part 2

This Part amends the Schedule (cold weather bonus) to the [Social Security \(Bonus\) \(Jersey\) Law 2014](#).

5 Paragraph 4 (amount of cold weather bonus) amended

In paragraph 4(2)(a), for “for each cold weather month from October 2014 to April 2015 inclusive, £153.23” there is substituted “for each cold weather month from October 2023 to April 2024 inclusive, £191.60”.

6 Temporary modification of Schedule

After paragraph 4 there is inserted –

“4A Temporary modification of Schedule – October 2022 to end April 2023

- (1) From 1st October 2022 up to, and including, 30th April 2023 the Schedule must be read in accordance with the temporary modifications made under this paragraph.
- (2) In paragraph 1 (interpretation) –
 - (a) in sub-paragraph (1), in the definition “cold weather bonus” for “April that is a cold weather month” there is substituted “March”;
 - (b) in sub-paragraph (1), for the definition “series of cold weather months” there is substituted –

“series of cold weather months” means the months running from October 2022 through to the end of March 2023;”;
 - (c) for sub-paragraph (2)(a) there is substituted –

“(a) a month, being the month of October, November, December, January, February or March is a “cold weather month”;
- (3) In paragraph 2 (payment of cold weather bonus) for sub-paragraphs (2) and (3) there is substituted –

“(2) Any cold weather bonus that is payable for the months of October, November or December shall be paid on or after 1st January 2023.

(3) Any cold weather bonus that is payable for the months of January, February or March shall be paid on or after 1st April 2023.”.
- (4) For the text of paragraph 4 (amount of cold weather bonus) there is substituted –

“(1) The amount of cold weather bonus payable is £70.

(2) Only one cold weather bonus is payable at any time in respect of a dwelling.

(3) If a dwelling is occupied by 2 or more households entitled to a cold weather bonus, the cold weather bonus is divided equally between all the households entitled to it.

(4) No cold weather bonus is payable where a dwelling is occupied by 2 or more households and one or more of those households receives, or has applied for and is entitled to receive, a cold weather payment under the [Income Support \(Special Payments\) \(Cold Weather Payments\) \(Jersey\) Regulations 2008](#) in respect of that dwelling.”.
- (5) This paragraph expires at the end of April 2023.”.

7 Citation and commencement

These Regulations may be cited as the Cold Weather Bonus and Payments (Miscellaneous Amendments) (Jersey) Regulations 202- and come into force 7 days after they are made.