

## **EXPLANATORY MEMORANDUM**

### **The Social Fund (Cold Weather Payments) (General) (Amendment) Regulations (Northern Ireland) 2012**

**S.R. 2012 No. 369**

#### **1. Introduction**

- 1.1 This Explanatory Memorandum has been prepared by the Department for Social Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2 The Statutory Rule is made under powers conferred by the Social Security Contributions and Benefits (Northern Ireland) Act 1992 and is subject to the negative resolution procedure.

#### **2. Purpose**

- 2.1 The Statutory Rule amends the Schedule to the Social Fund (Cold Weather Payments) (General) Regulations (Northern Ireland) 1988 to replace the reference to St Angelo weather station with the new Thomastown station.

#### **3. Background**

- 3.1 Cold Weather Payments provide help for vulnerable groups in receipt of Pension Credit, Income Support, income-based Jobseeker's Allowance and income-related Employment and Support Allowance to meet heating costs incurred, or likely to be incurred, in cold weather. That is when the average of the mean daily temperature for a period of seven consecutive days at a given weather station is recorded as, or is forecast to be, 0 degrees Celsius or below.
- 3.2 Each residential postcode in Northern Ireland is linked to one of the weather stations used in the scheme. The Meteorological Office uses data from these weather stations to calculate a rolling seven day average temperature and the Department is then notified of "triggers" so that payments can be made to eligible claimants.
- 3.3 The legislation is amended as necessary following expert advice from the Meteorological Office about the continued availability of any weather station, whether any new stations should be introduced into the scheme or regarding the suitability of postcode links to particular weather stations.

#### **4. Consultation**

- 4.1 The Social Security Advisory Committee was consulted regarding proposals for these Regulations and considered it did not require the Regulations to be formally referred.

## **5. Equality Impact**

5.1 In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department has conducted a screening exercise on proposals for these Regulations and concluded that they do not have significant implications for equality of opportunity. In light of this, the Department considers that an equality impact assessment is not necessary.

## **6. Regulatory Impact**

6.1 These Regulations do not require a Regulatory Impact Assessment as they do not impose a cost on business, charities or voluntary bodies.

## **7. Financial Implications**

7.1 These Regulations do not have any financial implications.

## **8. Section 24 of the Northern Ireland act 1998**

8.1 The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied the Rule—

- (a) is not incompatible with any of the Convention rights,
- (b) is not incompatible with Community law,
- (c) does not discriminate against a person or class of person on the ground of religious belief or political opinion, and
- (d) does not modify an enactment in breach of section 7 of the Northern Ireland Act 1998.

## **9. EU Implications**

9.1 Not applicable.

## **10. Parity or Replicatory Measure**

10.1 Not applicable.