EXPLANATORY MEMORANDUM TO

THE COVID-19 HEATING PAYMENT SCHEME (NORTHERN IRELAND) 2021

S.R. 2021 No. 1

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is to be laid before the Northern Ireland Assembly under the negative resolution procedure.

1.2. These Regulations are made under sections 1(2), 3 and 4 of the Financial Assistance Act (Northern Ireland) 2009.

2. Purpose

2.1. These Regulations provide for a one-off payment to be made to qualifying persons under the Covid-19 Heating Payment Scheme to assist with household energy costs during the Covid-19 pandemic.

3. Background

Legislative Context

3.1. New legislation will be required for the scheme. It is intended to bring forward legislation under the Financial Assistance Act and the Department shall require the approval of the First Minister and deputy First Minister.

3.2. The Financial Assistance Act (Northern Ireland) 2009 gives (i) the First Minister and deputy First Minister, acting jointly, authority to designate a department to make and publish a scheme to provide financial assistance to people when exceptional circumstances exist and (ii) provides that the Regulations, made under section 1(4) by virtue of a designation under subsection (3)(a), require the approval of The Executive Office.

3.3. The Department has determined that exceptional circumstances exist as a result of the impact of increased household energy costs due to the Covid-19 pandemic. The First Minister and deputy First Minister has designated the Department for Communities to deliver a scheme to provide financial assistance. The financial assistance payment shall be known as the Covid-19 Heating Payment.

Objective of the Covid-19 Heating Payment

3.4. A Covid-19 Heating Payment scheme is designed to provide groups in receipt of specified benefits (specifically older people and people with disabilities) with financial assistance in recognition of the additional costs arising as a result of the Covid-19 pandemic. This will be done through a one-off Covid-19 Heating Payment of £200 to those who are likely to be

adversely affected health-wise if they are unable to adequately heat their homes during the Covid-19 pandemic.

3.5. To have the greatest impact, payments should be made when needed most. The Department proposes making the payment at the end of January 2021, thereby providing direct and immediate financial support to meet additional costs at the time these are likely to be highest. By ensuring those in the eligible groups have support to meet costs at the time that they need it, the Department will be reducing the financial burden they experience as a consequence of Covid-19, and supporting them to maintain their physical and mental health and wellbeing.

4. Consultation

4.1. These are emergency regulations in response to the Covid-19 pandemic. Given the urgency of these regulations the Department for Communities has not undertaken a public consultation.

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 considered that an equality impact assessment is not necessary.

6. Regulatory Impact

6.1. There is no, or no significant, impact on business, charities or voluntary bodies or on the public sector.

7. Financial Implications

7.1. A package of measures are being taken forward by the Executive to support people during the Covid-19 pandemic. This scheme will provide support of £44.256 million to older people and people with disabilities through a one-off Covid-19 heating payment.

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 that these Regulations:

a) are not incompatible with any of the Convention rights;

b) are not incompatible with Community law;

c) do not discriminate against a person or class of person on the ground of religious belief or political opinion; and

d) do 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. There is no equivalent legislation in GB. This statutory rule applies to Northern Ireland only.

11. Additional Information

11.1. Not applicable.