



Jersey

**INCOME SUPPORT (TRANSITIONAL
PROVISIONS) (AMENDMENT) (JERSEY)
ORDER 2008**

Arrangement

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INCOME SUPPORT (TRANSITIONAL PROVISIONS) (AMENDMENT) (JERSEY) ORDER 2008

Made

9th March 2008

Coming into force

17th March 2008

THE MINISTER FOR SOCIAL SECURITY, in pursuance of Articles 18 and 19 of the Income Support (Jersey) Law 2007¹, orders as follows –

1 Interpretation

- (1) In this Order, “the principal Order” means the Income Support (Transitional Provisions) (Jersey) Order 2008².
- (2) In this Order, other expressions that are used have the same meanings as they have in the principal Order.

2 Article 1 amended

- (1) In Article 1 of the principal Order, after the definition “Law”, there shall be inserted the following definition –
 - “‘protected HIE payment’ means a payment to which Article 3(1A) refers;”.
- (2) In Article 1 of the principal Order, for the definition “protected payment” there shall be substituted the following definition –
 - “‘protected payment’ means a payment to which Article 3(1) refers and, if a household is eligible for a protected HIE payment, it also means such a payment;”.

3 Article 3 amended

- (1) In Article 3(1) of the principal Order, for the words “for a payment under this Article (known as a ‘protected payment’)” there shall be substituted the following words –

“by reason of this paragraph for a payment under this Article known as a ‘protected payment’.”.

- (2) After Article 3(1) of the principal Order there shall be inserted the following paragraph –

“(1A) A household is eligible by reason of this paragraph for a payment under this Article known as a ‘protected HIE payment’ if –

- (a) a member of that household, immediately before the appointed day, was eligible for and had claimed an HIE;
- (b) a member of the household has made a claim for income support; and
- (c) the household is entitled to such payment under Article 4.”.

- (3) After Article 3(4) of the principal Order there shall be added the following paragraph –

“(5) However, a claim for income support in respect of a household that is entitled to a protected HIE payment may be made at any time before 1st May 2008 or, if the determining officer considers that there is sufficient reason for the claim to be made after that date, before such later date as he or she shall determine.”.

4 Article 4 amended

After Article 4(2) of the principal Order there shall be inserted the following paragraph –

“(2A) However, if the household is entitled to a protected HIE payment, the TUS is calculated by means of the formula –

$$(RB + RH) - ADIS$$

where –

RH is the sum of £1.96 multiplied by the number of individuals in the household who were, immediately before the appointed day, eligible for and had claimed HIE; and

RB and ADIS are the amounts to which paragraph (2) refers.”.

5 Article 5 amended

After Article 5(1) of the principal Order there shall be inserted the following paragraph –

“(1A) However, if the household is entitled to a protected HIE payment, the top-up sum shall be recalculated by means of the formula –

$$(RRB + RRH) - RADIS$$

where –

RRH is the sum of £1.96 multiplied by the number of individuals in the household who, immediately before the appointed day, would have been eligible for HIE had the

circumstances giving rise to the recalculation existed on the appointed day; and
RRB and RADIS are the amounts to which paragraph (1) refers.”.

6 First protected HIE payment

- (1) This Article applies notwithstanding Articles 4(2A) and 5(1A) of the principal Order (as inserted by Articles 4 and 5 respectively of this Order).
- (2) In calculating TUS in respect of the first period for which it is payable after this Order comes into force (but only in respect of that first period) –
 - (a) if TUS is calculated in accordance with Article 4(2A), RH shall be multiplied by 8; and
 - (b) if TUS is recalculated in accordance with Article 5(1A), RRH shall be multiplied by 8.

7 Citation and commencement

- (1) This Order may be cited as the Income Support (Transitional Provisions) (Amendment) (Jersey) Order 2008.
- (2) This Order shall come into force on 17th March 2008.

SENATOR P.F. ROUTIER

Minister for Social Security

¹ *L.9/2007*
² *R&O.13/2008*