

Terminal Illness (Support and Rights) Bill

[AS INTRODUCED]

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Require utility companies to provide financial support to customers with a terminal illness; to make provision about the employment rights of people with a terminal illness; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Extension of Warm Home Discount Scheme

- (1) The Warm Home Discount (England and Wales) Regulations 2022 are amended as follows.
- (2) In Regulation 8(5)(c)(i), omit “or”.
- (3) After Regulation 8(5)(c)(ii), insert “or”. 5
- (4) After Regulation 8(5)(c)(ii), insert—
 - “(iii) is terminally ill.”
- (5) After Regulation 8(5)(c), insert—
 - “(d) For the purposes of this section a person is “terminally ill” at any time if at that time the person suffers from a progressive disease and the person's death in consequence of that disease can reasonably be expected within 12 months.” 10

2 Extension of Energy Company Obligation scheme

- (1) The Electricity and Gas (Energy Company Obligation) Order 2022 is amended as follows. 15
 - (2) In article 2(1)—
 - (a) For the definition of “help to heat group”, substitute—
 - ““help to heat group” means a group of persons where each person in the group is—
 - (a) awarded at least one of the benefits set out in paragraph 1 of Schedule 1 and meets any condition in relation to that benefit which is specified in that Schedule; or
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(b) terminally ill.”

(b) After the definition of “surplus action”, insert—

“a person is “terminally ill” at any time if at that time the person suffers from a progressive disease and the person's death in consequence of that disease can reasonably be expected within 12 months.”

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3 Reasonable adjustments people with a terminal illness

(1) The Secretary of State must use the power under section 22(1) of the Equality Act 2010 to make regulations relating to reasonable adjustments for people who are terminally ill, as specified in subsection (2).

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(2) Regulations under subsection (1) must provide that, for the purposes of paragraph 2 of Schedule 8 of the Equality Act 2010—

(a) where an employer has a provision, criterion or practice relating to dismissal for sickness absence, and

(i) an employee is terminally ill, and

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(ii) the sickness absence is related to the employee’s terminal illness,

the employer must take those matters into account in deciding whether it is reasonable to take steps so that the dismissal is avoided, and

(b) where an employer has a provision, criterion or practice of reducing salary after an employee has had a period of sickness absence, and—

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(i) an employee is terminally ill, and

(ii) the sickness absence is related to the employee’s terminal illness,

the employer must take those matters into account in deciding whether it is reasonable to take steps so that the reduction of salary is avoided.

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(3) The Secretary of State must make regulations under subsection (1) before the end of the period of 90 days beginning with the day on which this Act comes into force.

(4) For the purposes of this section a person is “terminally ill” at any time if at that time the person suffers from a progressive disease and the person's death in consequence of that disease can reasonably be expected within 12 months.

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4 Extent, commencement and short title

(1) This Act extends to England and Wales and Scotland.

(2) This Act comes into force at the end of the period of 90 days beginning with the day on which it is passed.

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(3) This Act may be cited as the Terminal Illness (Support and Rights) Act 2022.

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Presented by Alex Cunningham

Ordered, by The House of Commons, to be
Printed, 15th June 2022.

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