

To the College of Mayor and Aldermen of Maastricht

PO Box 1992
6201 BZ MAASTRICHT

Maastricht, 15 June 2022

Subject: Written questions M:OED, SP, GroenLinks and PvdD on energy compensation for students

Dear College,

In the media (*) we read on June 13 that according to lawyers the exclusion of students from the energy allowance is unlawful. If students file a case against their municipality, there is a good chance that the judge will rule in their favour. Excluding a group is not allowed just like that: there has to be a "justifiable ground" that explains why the law is not applicable for that group. The VNG has suggested that their living situation is "very diverse, also in terms of energy costs and bills." as a reason for the exclusion. That is not a good justifiable reason, because students do not live differently from non-students. All forms of living used by students - with parents, independent or in rooms - are also used by non-students. To exclude students as a group entirely is therefore incorrect and potentially discriminatory.

(*) See this article: <https://nos.nl/nieuwsuur/artikel/2432578-uitsluiting-studenten-energietoeslag-is-unlawful-saying-lawyers>

On February 18, the SP fraction asked questions about whether and how students could qualify for the energy compensation scheme. From your answers, received on March 15, it appeared that the college wanted to follow the national guideline and did not want to take steps itself to provide students with compensation. On April 8, M:OED raised the question of whether low-income students who are in trouble because of rising energy prices are also eligible for the energy allowance. At that time, the college again answered this in the negative.

Given the article by NOS/Nieuwsuur, M:OED, SP, GroenLinks and PvdD have the following follow-up questions:

1. After reading the article, do you agree with the experts that being a student is not a justifiable reason for excluding this group from the energy surcharge?
2. If so, why and where can this group apply for the energy surcharge?
3. If not, on what legal ground of exclusion does the college base its decision to lawfully exclude this group of young people and how does this relate to the general principles of good governance, in particular the principle of equality and the principle of principle of justification?
4. Will your college also inquire of the responsible minister what a valid exclusion ground could be and inform the council about it? If so, in what timeframe and can you share the results with the council? If not, why not?
5. If the college does not have a legally valid ground for exclusion and/or has not received a legally valid ground for exclusion from the minister: will the energy surcharge still be made available to students who are struggling due to rising energy prices?

(*) Zie hiervoor dit artikel: <https://nos.nl/nieuwsuur/artikel/2432578-uitsluiting-studenten-energietoeslag-is-onrechtmatig-zeggen-juristen>

6. If you answer question 5 positively, does the college believe that it should use its channels of communication to actively inform this group of their options regarding the energy surcharge?
7. If you answer question 5 in the negative, does the council believe that it should use its channels of (multilingual) communication to actively inform this group of their options regarding the individual special assistance?

For us, the Sustainable Development Goals (SDGs) of the United Nations are important pillars for the future of our city. With the SDGs, we bring 'think global, act local' into practice. The above written questions fit SDGs: 1, 3, 10, 11, 13.



We look forward to your response.

Fractie M:OED

Fractie SP,

Fractie GroenLinks

Fractie Partij voor de Dieren

Martin van Rooij

Ariane Schut

Menno Janssen

Jules Vaessen

(*) Zie hiervoor dit artikel: <https://nos.nl/nieuwsuur/artikel/2432578-uitsluiting-studenten-energietoelag-is-onrechtmatig-zeggen-juristen>