STATUTORY RULES OF NORTHERN IRELAND

2025 No. 45

FINANCIAL ASSISTANCE

The Emergency Fuel Payment (Amendment) Regulations (Northern Ireland) 2025

Made - - - -	*7th March 2025*
Coming into operation -	*18th March 2025*

The First Minister and deputy First Minister, acting jointly, made on 17th December 2024 a determination under section 1(1) of the Financial Assistance Act (Northern Ireland) 2009(**a**); and, acting jointly, they have designated the Department for Communities(**b**) as the relevant department under section 1(3)(a) of that Act.

Accordingly, the Department for Communities, makes the following Regulations in exercise of the powers conferred by sections 1(2), 3 and 4 of that Act.

In accordance with section 1(4) of that Act, the Executive Office(**c**) approves the making of these Regulations.

Citation and commencement

1. These Regulations may be cited as the Emergency Fuel Payment (Amendment) Regulations (Northern Ireland) 2025 and shall come into operation on 18th March 2025.

Amendment of the Emergency Fuel Payment Regulations

2.—(1) The Emergency Fuel Payment Regulations (Northern Ireland) 2025(**d**) are amended in accordance with paragraphs (2) to (5).

(2) In paragraph 2(2)(b) of Schedule 1 (Emergency Fuel Payment Scheme (Northern Ireland) 2025), after "Social Fund Winter Fuel Payment" add "in accordance with the Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2024(**e**)".

(3) At the end of paragraph 2(3)(b)(iv) of Schedule 1, omit the word "and".

(4) In paragraph 2(3)(c) of Schedule 1, for "United Kingdom" substitute "Northern Ireland, with an applicable Northern Ireland postal address as determined by official government pension records; and".

(5) After paragraph 2(3)(c) of Schedule 1, add—

(**a**) 2009 c. 2 (N.I.)
(**b**) The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)
(**c**) Formerly the Office of the First Minister and deputy First Minister; see section 1(1) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))
(**d**) S.R. 2025 No. 23
(**e**) S.R. 2024 No. 160

"(d) not entitled to a Social Fund Winter Fuel Payment in accordance with the Social Fund Winter Fuel Payment Regulations (Northern Ireland) 2024.".

Sealed with the Official Seal of the Department for Communities on 7th March 2025.

(L.S.)

David Tarr
A senior officer of the Department for Communities

The Executive Office approves these Regulations.

Sealed with the Official Seal of the Executive Office on 7th March 2025.

(L.S.)

Neill Jackson
A senior officer of the Executive Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Emergency Fuel Payment Regulations (Northern Ireland) 2025 (S.R. 2025 No. 23) ("the 2025 Regulations") to correct an error in those Regulations.

Paragraph 2(2) of Schedule 1 to the 2025 Regulations provides that to be eligible for an Emergency Fuel Payment a person must be (a) ordinarily resident in Northern Ireland and (b) is someone not entitled to a Social Fund Winter Fuel Payment. Similarly, paragraph 2(3) outlines the eligibility criteria for persons habitually resident in any of the countries listed in Schedule 2 to the 2025 Regulations.

It was the Department's intention to include provision in paragraph 2(3) which mirrors that found in paragraph 2(2)(b). Amongst other criteria, eligibility for the Emergency Fuel Payment depends on whether or not a person is entitled to a Social Fund Winter Fuel Payment. Anyone eligible for a Social Fund Winter Fuel Payment should be ineligible for an Emergency Fuel Payment. The provision intended to replicate paragraph 2(2)(b) within sub-paragraph (3) was erroneously omitted during the drafting process. Paragraph 2(3) of Schedule 1 to the 2025 Regulations is therefore amended to correct the error and insert the appropriate provision.

The Department's intention was that the Emergency Fuel Payment Scheme be restricted to eligible claimants who can show a genuine and sufficient link to Northern Ireland. Accordingly, paragraph 2(3)(c) of Schedule 1 to the 2025 Regulations is amended to substitute "United Kingdom" with "Northern Ireland", with the caveat that a Northern Ireland postal address, as determined by official government pension records, is required.

The Emergency Fuel Payment Scheme, which may also be referred to as the Pension Age Fuel Support Payment for Northern Ireland, applies to Northern Ireland only.

A regulatory impact assessment has not been produced for the Regulations as they have no impact on the costs of business.

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