EXPLANATORY MEMORANDUM TO

THE SOCIAL SECURITY BENEFITS (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2022

S.R. 2022 No. 62

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 5(1)(j), 165(1), and (5) of the Social Security Administration (Northern Ireland) Act 1992.

2. Purpose

2.1. These Regulations will allow the Department for Communities (DfC), to make a technical amendment to the Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021 No. 267) (the 2021 Regulations) to correct a drafting error. These regulations do not change the policy.

2.2. The 2021 Regulations provided DfC with the ability to pay large amounts of any benefit arrears in instalments, with the claimants permission, rather than one lump sum. This amendment will fix a technical error and ensure that the legislation is an accurate representation of the associated policy by removing an erroneous provision.

3. Legislative Context

3.1. This Statutory Rule makes amendments to the following regulations:

- The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2021

4. Consultation

4.1. The Department has not consulted on these regulations as they relate to a technical amendment of legislation and not a change to the policy.

5. Equality Impact

5.1. The Department has not carried out an equality impact assessment on these regulations as they relate to a technical amendment of legislation and not a change to the policy. 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. None.

8. Section 24 of the Northern Ireland Act 1998

9.1. The Department is content that the statutory rule complies with section 24 of the Northern Ireland Act 1998 (Convention rights, etc.).

9. EU Implications

10.1. Not applicable.

10. Parity or Replicatory Measure

11.1. These regulations amend the Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2021 (S.R. 2021 No. 267) the corresponding Great Britain Regulations to which are, the Social Security Benefits (Amendment) Regulations 2021 (S.I. 2021/1025).

11. Additional Information

12.1. Not applicable.