EXPLANATORY MEMORANDUM TO

THE SOCIAL SECURITY (BUDGETING LOANS) (ELECTRONIC COMMUNICATIONS) (AMENDMENT) ORDER (NORTHERN IRELAND) 2023

S.R. 2023 No. 96

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.

1.2. This Order is made under sections 1 and 2 of the Electronic Communications Act (Northern Ireland) 2001.

2. Purpose

2.1. This Order allows for the introduction of an electronic online claim process for budgeting loans.

3. Background

Legislative Context

3.1. The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 are being amended to allow electronic claims for budgeting loans.

3.2. Article 2 of this Order amends regulation 4ZC, 32ZA(2) of, and paragraph 2 of Schedule 8D to, the Claims and Payments Regulations to permit the use of an electronic claim form and electronic communications in connection with a claim for a budgeting loan. The use of an electronic communication by claimants must be in accordance with a direction of the Department.

Policy Background

3.3. The changes being made in respect of electronic claims for budgeting loans are intended to put in place powers to allow claimants to both make electronic claims as well as communicate electronically in respect of those claims. The introduction of these changes would be in addition to the current clerical methods for budgeting loans and will not detract from the rigorous scrutiny of evidence throughout the claims process.

4. Consultation

4.1. No consultation has taken place as all changes are minor and are intended to support all claimants, improve the service offered and provide more accurate information.

5. Equality Impact

5.1. In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department has conducted a screening exercise on proposals for this Order and concluded that they do not have significant implications for equality of opportunity. In light of this, 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. The amendments made by this Order will generate ongoing savings due to making use of electronic applications. There may also be savings associated with fraud identification and prevention.

8. Section 24 of the Northern Ireland Act 1998

8.1 The Department is satisfied that this Order is compliant with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. This Statutory Rule applies to Northern Ireland only and there is no equivalent instrument for Great Britain.

11. Additional Information

11.1. Not applicable.