EXPLANATORY MEMORANDUM TO

THE SOCIAL SECURITY (FURTHER METHODS OF RECOVERY) REGULATIONS 2026

2026 No. 1069

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Work and Pensions and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Secondary Legislation Scrutiny Committee.

2. Declaration

2.1 Lilian Greenwood, Minister for Innovation, Fraud & Data at the Department for Work and Pensions, confirms that this Explanatory Memorandum meets the required standard.

2.2 Ali Kempton, Deputy Director for the Payment Accuracy, Transformation and Housing Directorate at the Department for Work and Pensions, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Samantha Leech at the Department for Work and Pensions can be contacted by email at the following address with any queries regarding the instrument: debtpolicy.focalpoint@dwp.gov.uk

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 The instrument makes further provision relating to recovery of social security debts through direct deduction orders (DDOs) and disqualification from driving orders. In relation to DDOs, the instrument makes provision relating to the exchange of information between the Secretary of State, financial institutions, the liable person and other bank account holders; financial institutions' recovery of their own reasonably incurred costs; how the Secretary of State will calculate deductions; and how financial institutions must comply with their duties. In relation to disqualification from driving, the instrument makes provision for applications to a magistrates' court to be procedurally made by complaint.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales and Scotland.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales and Scotland, although there are a small number of exceptions. These are regulation 22 (priority as between regular direct deduction orders and similar court orders (England and Wales)) and regulation 30 (applications for a DWP disqualification order) which do not apply in Scotland, and

regulation 23 (priority as between regular direct deduction orders and similar court orders (Scotland)) which does not apply in England and Wales.

5. Policy Context

What is being done and why?

5.1 The Public Authorities (Fraud, Error and Recovery) Act 2025[1] (PAFER Act) introduced into the Social Security Administration Act 1992[2] new methods for DWP to recover overpayments and penalty debts from liable persons who have not settled their debt, are no longer in receipt of a DWP benefit, and where recovery is not reasonably possible from Pay As You Earn (PAYE) earnings. The measures bring greater fairness to DWP debt recovery, ensuring those who have the financial means to repay their debt can no longer evade doing so.

5.2 The first of these methods is the power to give a bank a Direct Deduction Order (DDO), requiring the financial institution to pay DWP one or more deductions from the liable person's bank or building society account. The second method is the power to apply to the court to disqualify a liable person from holding a driving licence where they have failed to pay the debt without reasonable excuse (disqualification order).

5.3 In practice, these conditions are intended to ensure that the powers are used as a last resort and in a proportionate way.

5.4 Liable individuals will be assessed on a case-by-case basis to ensure they have been given reasonable opportunity to repay, and the DWP Debt Management team will make multiple attempts to contact individuals, to discuss payment before enforcement action is considered.

5.5 Before considering these powers, DWP will have taken steps to encourage voluntary repayment, signpost to independent debt advice, where appropriate, and assess affordability and vulnerability using bank statements and information available to DWP. These powers are not intended to be used where recovery would be inappropriate or disproportionate.

5.6 These powers may only be used where the liable person has not paid the debt when given a reasonable opportunity to do so, is not, at the time, in receipt of a DWP benefit, and it is not reasonably possible to recover via a Direct Earnings Attachment (DEA). The ability to recover using these methods is anticipated to have a behavioural change effect, even where the powers are not directly exercised. This assumption is based on evidence from statistical outputs on the use of similar powers from HMRC[3] and Child Maintenance Service (CMS),[4] which suggest that cases eligible for enforcement, similar to those outlined in this policy, rarely actually reach a stage where enforcement powers are executed. Instead, they appear to more often lead to the liable person resolving their debt voluntarily.

5.7 Such powers are similar to those used by the CMS since 2009 for the collection of ongoing Child Maintenance payments and arrears under the Child Support Act 1991,[5] and by HMRC under the Finance (No 2) Act 2015.[6] HMRC published a review

[1] https://www.legislation.gov.uk/ukpga/2025/28
[2] https://www.legislation.gov.uk/ukpga/1992/5
[3] https://www.gov.uk/government/publications/direct-recovery-of-debts-intervention-review/review-of-the-direct-debt-recovery-intervention
[4] https://www.gov.uk/government/statistics/child-maintenance-service-statistics-data-to-december-2025
[5] https://www.legislation.gov.uk/ukpga/1991/48
[6] https://www.legislation.gov.uk/ukpga/2015/33/schedule/8

in 2019[7] setting out how the power had achieved its policy objectives and has contributed towards collecting £178 million of tax revenue whilst receiving low volumes of complaints, objections and appeals.

5.8 The new direct deduction order (DDO) and disqualification from driving order recovery methods are expected to increase debt recovery by £565m over the period 2025/26 to 2029/30. Some of this will be as a result of the behavioural impact the new powers are expected to have. An impact assessment[8] published on 22 January 2025 as part of the passing of the Public Authorities (Fraud, Error and Recovery) Act 2025[9] (PAFER Act), gave further detail on how this figure was reached.

5.9 The instrument makes further provisions regarding operational and practical aspects of the new recovery powers, which are necessary to ensure the powers are used fairly and effectively.

5.10 In relation to DDOs, the instrument:

- Makes further provision about the duties of banks, including the time in which banks must comply with duties and certain circumstances in which the bank must additionally notify DWP it has complied (or cannot comply) with a duty;
- Specifies the circumstances in which a bank may recover its reasonable costs from the liable person, and limits on such recoverable costs;
- Provides for how DWP will calculate the amount of deductions, including: certain categories of income or capital which must be disregarded from the calculation of a DDO; introducing a 20% maximum rate of regular deductions for the recovery of non-fraud debts; and further provision on how DWP must consider whether a deduction would cause hardship in meeting essential living expenses;
- Details how information, notices and orders must be given or exchanged between DWP and banks, liable persons and other account holders;
- Confirms how conflicts between a DDO and other similar orders should be resolved through priority rules.

5.11 In relation to disqualification orders, the instrument sets out procedural matters for making applications to a magistrates' court in England and Wales.

5.12 The instrument also makes minor and consequential changes to existing debt recovery provisions contained in the Social Security (Overpayments and Recovery) Regulations 2013[10] and the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988.[11] These amendments are:

- Replacing references to 'found guilty' with 'convicted' in relation to the rate of deductions from benefits or earnings, to bring terminology in line with that used in the PAFER Act; and
- Replacing an existing reference to recoverable court costs under section 71ZE(3) of the Social Security Administration Act 1992[12] with the wider power to recover costs under section 80G of the same Act (which will come into force shortly before this instrument), to bring those regulations in line with changes made by the PAFER Act.

[7] https://www.gov.uk/government/publications/direct-recovery-of-debts-intervention-review/review-of-the-direct-debt-recovery-intervention
[8] https://publications.parliament.uk/pa/bills/cbill/59-01/0167/ImpactAssessment.pdf
[9] https://www.legislation.gov.uk/ukpga/2025/28
[10] https://www.legislation.gov.uk/uksi/2013/384
[11] https://www.legislation.gov.uk/uksi/1988/664
[12] https://www.legislation.gov.uk/ukpga/1992/5/section/71ZE

What was the previous policy, how is this different?

5.13 As this instrument supports new powers introduced by the Public Authorities (Fraud, Error and Recovery) Act 2025[13] (PAFER Act), there was no prior policy framework for these measures. Before the Act, DWP's main recovery methods were deductions from benefit, Direct Earning Attachments (from PAYE wages) and civil enforcement routes through the courts. These were less effective where the liable person was no longer on benefit or in PAYE employment and did not engage with repayment plans. In such cases, reliance on court action was often burdensome and inefficient. The PAFER Act introduced Direct Deduction Orders (DDOs) and disqualification orders to address these gaps. These powers enable more direct recovery from those who have the means to repay but have avoided doing so, improving fairness and effectiveness in debt recovery.

5.14 This is the first instrument supporting these powers and establishes a new framework, rather than replacing an existing policy.

5.15 Where this instrument amends existing regulations (as detailed in paragraph 5.12), this instrument does not alter the department's policy. The changes made in respect of deductions from benefits and earnings maintain the existing policy, and the instrument only updates the language to ensure consistency with the PAFER Act to avoid unintended ambiguity. The change made in respect of recovery of costs is consequential to the change made by Parliament through the PAFER Act, which allows the Secretary of State to recover any reasonable cost incurred in attempting recovery through any method of recovery.

6. Legislative and Legal Context

How has the law changed?

6.1 In relation to direct deduction orders (DDOs), the instrument includes provisions setting out how certain provisions contained in Schedule 3ZA to the Social Security Administration Act 1992,[14] inserted by the PAFER Act, are operable in practice. Where a DDO allows a bank to deduct its reasonably-incurred costs, in accordance with paragraph 8 of Schedule 3ZA, the instrument imposes limits on the amount a bank may recover by reference to the bank's actual (or reasonably estimated) incurred costs and capped at maximum amounts. It provides for how and when certain duties imposed on banks imposed by Schedule 3ZA must be complied with and introduces certain requirements for a bank to confirm its compliance (or otherwise notify DWP it is unable to comply with a duty). It sets out the rules for the methods by which information, notices and orders must be exchanged between DWP, banks and account holders. The instrument makes provision for how any conflict between a DDO and any similar order given to a bank under other legislation must be resolved, by introducing priority rules. The instrument sets out further provision for how DWP must calculate deductions, introducing requirements that DWP consider or disregard particular kinds of income and capital and how any hardship in meeting essential living expenses must be assessed. Where paragraph 6(3) of Schedule 3ZA limits the amount of deductions under a regular DDO to 40% of the relevant amount in any one month, the instrument imposes a further, lower maximum rate of 20% in debts not related to fraud.

[13] https://www.legislation.gov.uk/ukpga/2025/28
[14] https://www.legislation.gov.uk/ukpga/1992/5/schedule/3ZA

6.2 The instrument also makes provision regarding the procedure for applications to be made to a magistrates' court (in England and Wales) in relation to a disqualification order under Schedule 3ZB to the Social Security Administration Act 1992[15] (Administration Act) inserted by the Public Authorities (Fraud, Error and Recovery) Act 2025. It allows an application to be made by complaint under the Magistrates' Courts Act 1980.[16] It disapplies provisions under that Act which may otherwise have been inadvertently engaged, relating to a limitation period and powers for the court to issue an arrest warrant where a defendant does not appear at a hearing.

6.3 Together, the instrument is necessary for the effective and consistent operation of the recovery powers under Schedules 3ZA[17] and 3ZB to the Administration Act.

Why was this approach taken to change the law?

6.4 This legislative approach is needed because the matters addressed by the instrument concern legal duties and important procedural requirements which cannot be delivered or enforced effectively through policy or guidance alone. Without further legislative provision, key elements of the direct deduction orders (DDO) process may be legally ambiguous, difficult to enforce, or lead to unintended or unfair consequences. In relation to applications for disqualification from driving orders, the absence of regulations would risk leaving no practical mechanism for DWP to bring an application before a magistrates' court, which could have meant the power was unintentionally difficult or impossible to apply in practice in England and Wales.

6.5 Relying on non-statutory alternatives (such as guidance) for either recovery method would risk inconsistency, legal challenge, and unintended outcomes such as disproportionate deductions or procedural dead-ends. The instrument therefore provides necessary and important provisions to ensure the powers in the Administration Act operate as Parliament intended.

6.6 Schedule 3ZA to the Administration Act largely provides the legislative framework for DDOs, including safeguards, limitations and parties' rights. Schedule 3ZB to the Administration Act does the same for disqualification orders. Both schedules allow further provision to be made through regulations.[18]

7. Consultation

Summary of consultation outcome and methodology

7.1 Paragraph 25(5) of Schedule 3ZA to the Administration Act requires DWP to consult with representatives of the finance sector (and others DWP considers appropriate) before making regulations containing provisions related to certain aspects of DDOs. Those provisions are:

- How notices and orders are to be given by DWP;
- How notices and information are to be given to DWP;
- The duties of banks in relation to DDOs, including before a DDO is made; and
- Costs which a bank may recover by virtue of paragraph 8 of Schedule 3ZA, or from DWP.

7.2 DWP invited 31 representatives from the finance and debt advice sectors to consult on the proposed policy intent of provisions relating to the above subjects. Financial

[15] https://www.legislation.gov.uk/ukpga/1992/5/schedule/3ZB
[16] https://www.legislation.gov.uk/ukpga/1980/43
[17] https://www.legislation.gov.uk/ukpga/1992/5/schedule/3ZA
[18] See paragraph 25 of Schedule 3ZA and paragraph 7(4) of Schedule 3ZB to the Administration Act 1992

institutions and the debt advice sector would either be directly impacted by such provisions, due to operational responsibilities or involvement, or could generally represent the interests of liable persons and other account holders. The consultation ran between 2 March to 17 April 2026, in conjunction with the Public Sector Fraud Authority (PSFA) which has made a similar instrument in relation to its own recovery powers. DWP received eight responses, comprised of five responses from the debt advice sector and three from the finance sector. Two of the finance sector responses were from representative bodies and were collective responses from their members.

7.3 Respondents were broadly supportive of the policy intent, providing constructive feedback focused on refining delivery rather than expressing opposition to particular parts of the proposal.

7.4 The introduction of clear rules on when notices are deemed to have been given to the recipient was welcomed by respondents. However, some financial institutions were concerned that this would be determined by when the notice or order is dispatched by DWP, as opposed to when it is actually received by the recipient. DWP considers the position adopted in the instrument, which provides that a notice or order is given after a reasonable, method specific time has passed since dispatch, provides necessary legal certainty and is in line with similar rules, such as the service of documents under the Civil Procedure Rules.[19] DWP has also committed to supporting guidance covering the process, to allow for reasonable additional time where there is evidence of considerable delays (or failures) of delivery.

7.5 Respondents supported provision which would allow secure electronic delivery, such as by encrypted email, to be used when exchanging information between DWP and financial institutions. DWP retained postal options within this instrument to provide flexibility and ensure the framework operates effectively across a wide range of circumstances. The instrument also provides for other methods of electronic communication to be used at DWP's discretion, to account for future technological advancements; but DWP agreed with respondents that a requirement to consult further before such method is required to be used for the first time, if the method would likely be onerous to the financial institution, be included.

7.6 Respondents raised concerns more generally on accessibility of communications and impacts for vulnerable liable persons or account holders. The instrument provides flexibility in the methods of communication which can be used, including the use of alternative methods reasonably required by an individual's circumstances, while further consideration is addressed in the Debt Recovery Code of Practice[20] first issued and published in June 2026.

7.7 Whilst understanding the policy intent in relation to how notices and orders are to be given to DWP, there was strong support for clear, standardised processes for submitting information and making representations from the liable person. DWP will set default methods of communications in guidance to ensure consistency, while retaining flexibility of method in the instrument. The Code of Practice clarifies how account holders can respond, including accessible routes and third-party support.

[19] https://www.justice.gov.uk/courts/procedure-rules/civil/rules

[20] https://www.gov.uk/government/publications/dwp-direct-deduction-and-disqualification-from-driving-orders-code-of-practice/dwp-direct-deduction-and-disqualification-from-driving-orders-code-of-practice

7.8 In respect of provisions on the duties of banks in relation to Direct Deduction Orders (DDO), including before a DDO is made, respondents supported the proposed timescales for action and alignment (where reasonable and appropriate) with existing Child Maintenance Service (CMS) processes. Following consultation, the instrument clarifies that financial institutions are only required to share information on representatives of an account holder (acting under a Powers of Attorney or court order) after receiving a relevant order or notice, rather than having an ongoing duty throughout the lifespan of a DDO.

7.9 Safeguards, such as confirmation requirements for varied or revoked orders, were included notwithstanding concerns raised about potential operational burden, as these are important to help protect vulnerable individuals from unintended consequences.

7.10 Respondents supported provision on the reasonable administrative costs which a bank may recover (by virtue of paragraph 8 of Schedule 3ZA to the Social Security Administration Act 1992[21] (Administration Act)) which place limits on those recoverable costs in line with existing CMS arrangements. Financial institutions favoured discretion in applying charges, and the instrument accordingly ensures the bank may decide whether to recover such costs or not. Respondents from the debt advice sector raised concerns about impacts on vulnerable individuals and what they considered to be high maximum limits. Accordingly, the instrument puts beyond doubt that a financial institution may not recover more than it actually incurred (or reasonably estimates it incurred) in relation to complying with the DDO, including where this is lower than the maximum amounts prescribed. Schedule 3ZA to the Administration Act already provides further safeguards on affordability and fairness, which must be considered with any recoverable cost under paragraph 8 in mind.

7.11 Respondents also provided feedback concerning detailed operational processes, accessibility standards and safeguarding arrangements. DWP considered it was either unnecessary, inappropriate or not possible to make secondary legislation on these points, which will instead be addressed in internal operational guidance and / or the Code of Practice. This will ensure, when taken together with Schedule 3ZA to the Administration Act and this instrument, a suitable framework and processes exist for appropriate recoveries and protection for vulnerable persons.

7.12 DWP also consulted with the Social Security Advisory Committee (SSAC) in June 2026.[22] The Committee broadly focused its scrutiny on the balance between strengthening debt recovery and ensuring appropriate safeguards for individuals subject to the new powers.

7.13 The Committee considered whether sufficient safeguards are in place when recovering debt from individuals who do not engage with DWP. Members scrutinised the affordability assessment process, the treatment of essential living expenses and vulnerability, seeking assurance that these safeguards will work in practice, as well as how DWP can distinguish between those who cannot pay or engage and those who will not. DWP has built multiple safeguards into the policy, including affordability assessments, opportunities to make representations, review rights and the ability to vary deductions where circumstances change, ensuring recovery action remains fair and proportionate with multiple opportunities for individuals to engage.

[21] https://www.legislation.gov.uk/ukpga/1992/5/schedule/3ZA
[22] https://www.gov.uk/government/publications/social-security-advisory-committee-minutes-of-meetings-in-2026

7.14 The Committee challenged the DWP's assumptions about the characteristics, financial circumstances and repayment capacity of the cohort not currently in active recovery. Members sought greater assurance on the evidence underpinning the policy, particularly where information on income, household circumstances, vulnerability and wider debts is limited. While information on individuals not currently in recovery is limited due to non-engagement, DWP has used available research[23] and analysis to inform the policy and will continue to strengthen its understanding through ongoing research and operational learning.

7.15 The Committee examined the practical operation of direct deduction orders (DDOs) and driving disqualification powers, including notice requirements, rights of representation and review, court processes, communications, accessibility, and how safeguards would operate in practice. The Committee requested, and were provided with, further information and worked examples to demonstrate how individuals would be protected throughout the end-to-end process which were provided ahead of the meeting. Members sought further assurance that safeguards, affordability assessments, vulnerability identification processes and escalation criteria would operate effectively in practice particularly where information is incomplete due to non-engagement. DWP's test and learn approach will help further evaluate and refine these safeguards during implementation. The instrument ensures a clear legislative framework for the use of DDOs, supported by notice requirements, review processes and engagement opportunities. DWP will continue to support implementation through guidance, communications and a phased test-and-learn approach.

7.16 Following the SSAC meeting and the Committee's consideration of the proposals and supporting evidence, SSAC agreed that the instrument should not be formally referred to it.

8. Applicable Guidance

8.1 Section 80E of the Social Security Administration Act 1992[24] (Administration Act) requires DWP to produce a Code of Practice in relation to the DDO and disqualification order powers, and hold a public consultation on a draft of the first issued Code. This Code of Practice has been developed to ensure transparent, safe, effective and proportionate use of these powers. The Code of Practice was subject to a public consultation[25] which started in December 2025, and the Code was first issued and published in June 2026.[26]

8.2 The existing published Benefit Overpayment Recovery Guide[27] sets out broad principles for how and when DWP seeks to recover overpayments and penalties arising under the Administration Act. This includes information on DWP's other recovery methods, how liable persons can make payment, and circumstances in which a request can be made to waive some, or all, of a debt. The BORG will be updated in

[23] https://www.gov.uk/government/publications/debt-management-composition-and-perceptions-research/debt-management-composition-and-perceptions-research-final-report
[24] https://www.legislation.gov.uk/ukpga/1992/5/section/80E
[25] https://www.gov.uk/government/consultations/public-authorities-fraud-error-and-recovery-act-dwp-codes-of-practice-verifying-eligibility-in-the-welfare-system-obtaining-information-and-recovering/outcome/government-response-to-the-public-authorities-fraud-error-and-recovery-act-dwp-codes-of-practice-consultation
[26] https://www.gov.uk/government/publications/dwp-direct-deduction-and-disqualification-from-driving-orders-code-of-practice/dwp-direct-deduction-and-disqualification-from-driving-orders-code-of-practice
[27] https://www.gov.uk/government/publications/benefit-overpayment-recovery-staff-guide/benefit-overpayment-recovery-guide

Autumn 2026 to include a high-level summary of the policy regarding DDOs and disqualification orders.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 Whilst these debt measures were considered in Annex 2 of the full Impact Assessment[28] prepared for the Public Authorities (Fraud, Error and Recovery) Act 2025[29] (PAFER Act) as a whole, an additional Impact Assessment has not been prepared for this instrument because the impact to business is estimated to be low. Impacts on business are mainly limited to financial institutions, and the Social Security Administration Act 1992[30] (together with this instrument) includes provision for financial institutions to recover reasonably incurred costs from the liable person associated with complying with a direct deduction order (DDO). The remaining annual costs to the finance sector are expected to be less than £1m. The highest possible number of requests for bank statements which could be required has been calculated by multiplying the maximum number potential of cases that could be processed under this power by the proportion of cases in which the Child Maintenance Service (CMS) requests bank statements.[31] The maximum cost to banks is then found by multiplying this number by the costs of providing a bank statement, calculated using costs provided by the British Banking Authority for the Child Maintenance Service regulations[32] in 2018, adjusted for inflation. We expect the number of bank statements processed to actually be lower than this. This is because some individuals may contact the Department and make payment arrangements, meaning statements are not required, or because the Department decides, when considering an individual case, applying the power would not be appropriate.

Impact on businesses, charities and voluntary bodies

9.2 The impact on business, charities or voluntary bodies of the instrument is limited to financial institutions. Provision can (and usually will) be included in a DDO to allow the financial institution to recover from the liable individual its reasonable costs incurred by complying with a DDO.

9.3 The legislation may have a small impact on small or midsize businesses, limited to those which are financial institutions. However, the overall market share for Small and Midsize Businesses (SMB) in the finance sector is small, as this sector is dominated by large banks and building societies and banks of any size will be able to recover reasonable costs.

9.4 Although the ability to recover reasonably incurred costs from the liable person means there are minimal costs to SMBs, consideration was given to exempting SMBs entirely from this measure. However, their exclusion is not appropriate as it would lead to unintended consequences, resulting in potentially significant reductions in the anticipated benefits of the measure. This is because exempting SMBs would create a loophole, whereby liable individuals wishing to avoid repaying their debts could move their money to an account with a SMB and evade recovery by DDO. An exemption

[28] https://publications.parliament.uk/pa/bills/cbill/59-01/0167/ImpactAssessment.pdf
[29] https://www.legislation.gov.uk/ukpga/2025/28
[30] https://www.legislation.gov.uk/ukpga/1992/5
[31] https://www.gov.uk/government/statistics/child-maintenance-service-statistics-data-to-march-2026
[32] https://www.legislation.gov.uk/ukdsi/2018/9780111171264/pdfs/ukdsiod_9780111171264_en.pdf

may also have adverse effects on competition within the financial sector, as individuals may be deterred from opening an account with a medium or large bank.

9.5 The impact on the public sector as a result of this instrument is limited to the costs to DWP, which will incur operating costs of £2.7m - £21.7m per year. Further information on the costs to DWP can be found in the Impact Assessment[33] published on 22 January 2025.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring the legislation is through a structured test and learn implementation approach. This will support safe and effective delivery, while allowing the DWP to monitor and build its understanding of outcomes, operational impacts for both the Department and the banks, and the liable person's behaviour and engagement over time. This approach has been developed collaboratively between policy, operational and analytical officials, with input from financial institutions and the debt advice sector.

10.2 The instrument does not include a statutory review clause and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015,[34] Lilian Greenwood has made the following statement:

"A statutory review clause is not included in the instrument since the provisions contained within it are supplemental to those contained in the Social Security Administration Act 1992 and are not themselves expected to cause or meaningfully increase any burden on business. Additionally, the requirements on business as a result of the overall policy, including as a result of this instrument, are considered to meet the Government's 'de minimis' regulatory impact criteria, meaning no impact assessment is required. As such, it would not be proportionate to include a review clause."

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 The instrument is being laid during the conference parliamentary recess to align with the planned implementation timetable for the new recovery powers and to ensure the supporting legislative framework is in place before commencement.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023.

[33] https://publications.parliament.uk/pa/bills/cbill/59-01/0167/ImpactAssessment.pdf
[34] https://www.legislation.gov.uk/ukpga/2015/26