EXPLANATORY MEMORANDUM TO

THE SOCIAL SECURITY (HABITUAL RESIDENCE, PAST PRESENCE AND TEMPORARY ABSENCE) (AMENDMENT) REGULATIONS 2025

2025 No. 884

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 Joint Committee on Statutory Instruments.

2. Declaration

2.1 Andrew Western MP, Parliamentary Under-Secretary of State (Minister for Transformation) at the Department for Work and Pensions, confirms that this Explanatory Memorandum meets the required standard.

2.2 Ronan O'Connor, Deputy Director for International Strategy at the Department for Work and Pensions, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 William Drummond at the Department for Work and Pensions (internationalaccessto.benefitpolicyteam@dwp.gov.uk) can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This legislation has been laid subject to the negative resolution process under the urgency provisions (see paragraph 11.1). It makes two changes, with effect from 18 July 2025.

4.2 First, the legislation provides exemption from the habitual residence and past presence requirements for the listed benefits (see paragraphs 6.1 and 6.2) for certain persons who

- have left a country or territory that the Government has either advised British nationals to leave or has evacuated British nationals from or
- hold an immigration status under a safe and legal humanitarian immigration route to the United Kingdom (UK).

This enables these persons to access income-related, disability, and carer benefits quickly after arriving in Great Britain.

4.3 Second, the legislation extends the permitted period of temporary absence from Great Britain in the benefits listed in paragraph 6.3 to a maximum of six months[1] for persons who have travelled to a country or territory that the Government has subsequently advised British nationals to leave or from which the Government has arranged the evacuation of British nationals. This enables benefit claimants who are unable to return to Great Britain at the time they had planned to maintain entitlement for a limited time while they make efforts to return.

Where does the legislation extend to, and apply?

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

4.5 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England, Scotland, and Wales.

5. Policy Context

What is being done and why?

5.1 In response to a crisis overseas the Government may advise British nationals to leave an affected country or territory, arrange the evacuation of British nationals from that country or territory, grant affected foreign nationals immigration permission under a safe and legal humanitarian immigration route, or a combination of these actions. Persons affected by such emergencies may require additional support from the Department as part of the Government's broader response. Previously, the Department has laid urgent legislation following each crisis to enable affected persons to access this additional support. In response to feedback from the Social Security Advisory Committee, this legislation introduces generalised provisions that enable the Department to provide the necessary support swiftly and without further urgent legislation each time a comparable crisis occurs in future.

5.2 These generalised provisions will apply in all future situations that meet the criteria. However, the Department has laid these regulations urgently to ensure that the 382 persons the Government evacuated from Israel and the Occupied Palestinian Territories[2] between 23 and 29 June 2025 can benefit from the provisions, if they are eligible. The Department will update its published guidance following any future emergencies to set out how this legislation applies in those situations. Additionally, the Government arranged the evacuation of British nationals from Niger on 1 August 2023 following the coup in that country and advised British nationals to leave South Sudan on 27 March 2025 due to armed conflict in that country. The number of British nationals estimated to be in each country at the relevant times were low, so the Department did not lay legislation in response to this situation at the time. However, when this legislation comes into force on 18 July, persons in scope arriving from Niger and South Sudan will be able to benefit from its generalised provisions.

5.3 The Ministry for Housing, Communities, and Local Government have laid similar legislation amending the entitlement conditions for homelessness assistance and social housing.

[1] Some benefit regulations refer to periods of time in calendar months, others in weeks. For clarity, this memorandum refers to periods in months throughout. For benefits that refer to periods in weeks, 1 month is equivalent to 4 weeks, 3 months to 13 weeks, 6 months to 26 weeks, and 1 year to 52 weeks.

[2] Throughout this document the Occupied Palestinian Territories should be read as covering the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights.

Exemption from the habitual residence and past presence requirements for persons fleeing to Great Britain

5.4 Under the normal rules, a person must be habitually resident in the Common Travel Area[3] before they can claim income-related benefits such as Universal Credit. A person cannot be considered habitually resident until they have resided in the Common Travel Area for an appreciable period of normally between one and three months, unless they can resume previous habitual residence. To access disability and carer benefits a person must additionally have been present in Great Britain[4] for a certain combined time within a set reference period in the recent past. For example, to satisfy the past presence requirements an adult must have been present in Great Britain for a combined total of 104 weeks in the past 156 weeks.[5] These rules apply regardless of a person's nationality, including to British nationals.

5.5 These requirements prevent persons from accessing UK benefits immediately on arrival if they have not lived here recently. This is consistent with the Government's expectation that, in general, persons coming to live in the UK should plan how they will maintain and accommodate themselves and their families without the support of the welfare system.

5.6 However, this rationale for the habitual residence and past presence requirements does not apply to persons who have fled to Great Britain from another country or territory in response to the UK Government advising British nationals to leave, arranging the evacuation of British nationals and their families, or granting foreign nationals immigration permission under a safe and legal humanitarian immigration route. Such persons have fled to Great Britain quickly in response to the advice or actions of the UK Government, with little time to plan how they will support themselves on arrival. The experience of past crises and the UK Government's responses provides a clear justification for exempting such persons from the normal habitual residence and past presence requirements, enabling them to access welfare benefits quickly on arrival in Great Britain.

5.7 This legislation therefore adds two categories of persons to the existing lists of persons who are exempt from the habitual residence and past presence requirements to access income-related, disability, and carer benefits. First, persons who have fled a country or territory following the Government advising British nationals to leave or arranging the evacuation of British nationals; and second, foreign nationals who hold an immigration status under a safe and legal humanitarian immigration route[6].

5.8 These exemptions enable persons in scope to access benefits more quickly than under the normal rules provided they meet all the other entitlement conditions, including not being a person subject to immigration control. As a result, a person can only benefit

[3] The Common Travel Area comprises the United Kingdom, the Channel Islands, the Isle of Man, and the Republic of Ireland.
[4] Great Britain comprises England, Scotland, and Wales.
[5] Benefit regulations express this as 104 weeks in the previous 156 weeks. To meet the past presence requirements children aged 3 to 16 must have been present in Great Britain for 26 out of the past 52 weeks. Shorter periods apply to children under 3 years of age.
[6] The Government published a list of the current safe and legal humanitarian immigration routes at https://www.gov.uk/government/publications/safe-and-legal-routes/report-on-safe-and-legal-routes-section-61-illegal-migration-act-2023-accessible under the requirements of section 61 of the Illegal Migration Act 2023 (https://www.legislation.gov.uk/ukpga/2023/37/section/61). The Afghanistan resettlement routes have since been streamlined into the Afghan Resettlement Programme (https://www.gov.uk/guidance/afghan-resettlement-programme). It should be noted that the description 'safe and legal humanitarian immigration route' in this context is not intended to describe the basis on which permission to enter or stay in the UK is granted for immigration purposes, which are determined by separate immigration legislation, rules, and policy.

from the exemptions if they are British, Irish, or a person with a valid UK immigration status that permits recourse to public funds. The legislation does **not** enable persons who are in the UK illegally or whose immigration status prohibits recourse to public funds to access benefits.

5.9 The exemptions activated by the Government advising British nationals to leave a country or territory or arranging the evacuation of British nationals are time-limited for two reasons.

- First, these exemptions are designed to facilitate the Department's immediate response to emergencies arising overseas as part of the Government's broader response. Once an exemption is activated, the Department will work with other relevant areas of Government to identify whether any further legislation is needed to provide a more tailored approach to the situation in the longer term.
- Second, British nationals should make every effort to leave a country or territory quickly if the Government has advised them to do this or arranged evacuations. If they decide to remain in that country or territory and leave at a later stage despite the adverse situation continuing, they have acted against the Government's advice.

5.10 For these reasons, these exemptions are designed to assist affected persons who arrive in Great Britain in the period of six months after the Government advises British nationals to leave a country or territory or arranges the evacuation of British nationals. They are designed to continue until such persons can satisfy the normal requirements without the aid of an exemption.

5.11 Consistent with this aim, the exemption from the requirement to be habitually resident will apply to persons fleeing the affected country or territory for a period of six months after either of the activation criteria is met. However, a person aged 16 or over arriving in Great Britain may need to be present here for up to 104 weeks before they satisfy the past presence requirements for disability and carer benefits. Therefore, the equivalent exemption from the past presence requirements will remain in place for 130 weeks after either of the activation criteria is met.[7] This ensures that adults arriving in Great Britain up to six months after the activation criteria are met can continue to benefit from the exemption until they satisfy the normal requirements. This means a person does not need to make a benefit claim within six months of the Government advising British nationals to leave a country or territory or evacuating British nationals to be covered by the exemption.

5.12 The exemption from the habitual residence and past presence requirements for persons who hold an immigration status under a safe and legal humanitarian immigration route depends on that status and so will end when their status expires, if it is time limited. This is consistent with existing exemptions linked to certain types of immigration status, such as refugee status.

Extension of the permitted period of temporary absence from Great Britain for persons unable to return swiftly

5.13 Under the normal benefit rules, a person must be in Great Britain to claim certain welfare benefits, but regulations enable claimants to maintain entitlement during certain periods of temporary absence. The standard permitted absence period is one month in income-related benefits and 13 weeks in disability and carer benefits, but longer periods apply in special circumstances set out in regulations. If a benefit

[7] The legislation sets equivalent shorter time limits for other age groups.

claimant remains outside Great Britain for longer than the relevant temporary absence period, their entitlement to the benefit ends.

5.14 Benefit claimants from Great Britain may be temporarily visiting another country or territory when the UK Government advises British nationals to leave that country or territory or arranges the evacuation of British nationals. However, they may be unable to return to their home in Great Britain quickly because the crisis has caused a reduction in transport capacity out of the country or territory or made it difficult for the claimant to reach an evacuation point. However, under the normal rules the claimant's benefit entitlement would end if they could not return to Great Britain within the permitted temporary absence period as planned.

5.15 Therefore, the legislation introduces provisions to extend the permitted absence period in the listed benefits (see paragraph 6.3) to up to six months in total if a claimant is unable to return to Great Britain following the Government advising British nationals to leave a country or territory or arranging the evacuation of British nationals. This reduces the risk of a claimant's entitlement ending at a time they already face the exceptional and difficult circumstances that would cause the Government to advise British nationals to leave a country or territory or arrange evacuations. Limiting the maximum extended permitted absence period in these circumstances to six months provides claimants with additional time to leave a country or territory affected by a crisis whilst maintaining the normal requirement for claimants to be in Great Britain. Consistent with this requirement, the provisions do not enable a person to be considered temporarily absence for more than six months in total, even if they had been abroad for a period before a relevant crisis occurred.

5.16 A claimant will not be able to benefit from the extended permitted absence period if they travel to a country or territory after the Government has advised British nationals to leave it. A claimant can only continue to benefit from the extended permitted absence period if the relevant Decision Maker is satisfied that it would be unreasonable to expect the claimant to return. For example, if a claimant does not return to Great Britain when transport routes have reopened, they would no longer be covered by these provisions and their entitlement would end. This requirement will be assessed through regular reviews of affected claims.

5.17 It should be noted that in income-related and contributory benefits a person cannot be considered temporarily absent from Great Britain unless they were entitled to the relevant benefit before they left Great Britain. However, in disability and carer benefits this is not a requirement. This is to enable periods of temporary absence to be considered periods of presence in Great Britain when assessing if a claimant meets the past presence requirements, whether these periods occurred before or after the person started claiming benefits. For this reason, the legislation will affect how the Department assesses new as well as existing disability claims.

5.18 The legislation does not change the temporary absence rules for Carer's Allowance. This is because under existing rules if the claimant is stranded overseas with the person they care for, the benefit would continue, provided that person continues to receive a qualifying disability benefit. Therefore, in this situation the extended permitted periods of temporary absence this legislation introduces in disability benefits would also apply to the claimant of Carer's Allowance, without any change to the Carer's Allowance rules. However, continuing to pay Carer's Allowance for long periods when the claimant is stranded overseas separately to the person they care for (or the reverse) could undermine the purpose of this benefit and may have a negative

effect on the welfare of that person. For this reason, this legislation does not introduce any changes to the existing temporary absence rules in Carer's Allowance.

What was the previous policy, how is this different?

Exemption from the habitual residence and past presence requirements for persons fleeing to Great Britain

5.19 Since 2021, the Department has laid urgent legislation to provide exemptions from the habitual residence and past presence requirements in response to

- the collapse of the Afghan government which took place on 15 August 2021[8]
- the Russian invasion of Ukraine which took place on 24 February 2022[9]
- the violence which rapidly escalated on 15 April 2023 in Khartoum and across Sudan[10] and
- the Hamas terrorist attack in Israel on 7 October 2023 and the violence which rapidly escalated in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon following the attack.[11]

5.20 In response to each of these emergencies, the Government advised British nationals to leave the affected places, evacuated British nationals, established humanitarian immigration routes for affected foreign nationals, or took a combination of these actions. During the same period, the Government arranged the evacuation of British nationals from Niger following the coup in that country on 26 July 2023 and advised British nationals to leave South Sudan on 27 March 2025 due to armed conflict in that country. However, on these occasions the low number of British nationals affected made it disproportionate for the Department to lay urgent legislation in response.

5.21 The legislation in response to the crisis in Afghanistan (2021) exempted persons arriving under the Afghan Citizens Resettlement Scheme[12] and Afghan Relocations and Assistance Policy[13] from the habitual residence and past presence requirements. This ensured such persons could access benefits on the same terms as refugees, who are also exempt from these requirements. That legislation additionally exempted other persons arriving from Afghanistan from the habitual residence requirements only. The legislation in response to the invasion of Ukraine (2022) exempted persons in scope arriving from Ukraine from both the habitual residence and past presence requirements. This ensured parity between arriving British nationals and foreign nationals arriving under the Ukraine Family Scheme[14] and Homes for Ukraine Sponsorship Scheme[15], which therefore did not need to be covered specifically in the legislation.

[8] https://www.legislation.gov.uk/uksi/2021/1034/contents/made
[9] https://www.legislation.gov.uk/uksi/2022/344/contents/made
[10] https://www.legislation.gov.uk/uksi/2023/532/contents/made
[11] https://www.legislation.gov.uk/uksi/2023/1144/contents/made
[12] https://www.gov.uk/guidance/afghan-citizens-resettlement-scheme
[13] https://www.gov.uk/government/publications/afghan-relocations-and-assistance-policy/afghan-relocations-and-assistance-policy-information-and-guidance
[14] https://assets.publishing.service.gov.uk/media/65ccc3c21d9395001294665e/Ukraine+Family+Scheme+Guidance.pdf
[15] https://assets.publishing.service.gov.uk/media/67daee79dd55380604d70ab3/Homes+for+Ukraine+Sponsorship+Scheme__1_.pdf

5.22 In each case the Government advised British nationals to leave a country or territory, arranged the evacuation of British nationals, or established a new humanitarian immigration route the Department acted quickly to lay urgent legislation if required. However, the time taken to prepare the legislation reduced the speed at which the Department could begin to provide additional support to persons fleeing the crisis. The present legislation mitigates the risk the Department will need to lay further urgent legislation to respond to similar situations that may arise in the future by generalising the policy approach implemented through individualised legislation in the past. These generalised provisions will save Parliamentary time compared to the previous approach.

5.23 The need for generalised legislation to respond to future emergencies is supported by evidence in the National Risk Register 2025[16]. The Register assesses that in the next five years there is a 5-25% likelihood of a crisis overseas necessitating the arrival and reception of a large number of destitute or vulnerable British nationals, and a higher likelihood of lower impact emergencies. This generalised legislation improves on the Department's previous approach by enabling it to provide additional support to affected persons more quickly than is possible using crisis legislation following each crisis.

5.24 Although previous exemptions from the habitual residence and past presence requirements have not been subject to time limits, it is the Department's policy to keep them under review and remove them when they are no longer needed through further amendments to legislation. This approach is not possible for the generalised exemptions introduced in this legislation, which are therefore subject to time limits (as set out in paragraphs 5.9 to 5.12).

Extension of the permitted period of temporary absence from Great Britain for persons unable to return swiftly

5.25 During the emergencies listed in paragraph 5.19 the Department identified benefit claimants who were temporarily in the affected country or territory when the crisis arose and as a result were unable to return to Great Britain within the normal permitted temporary absence period. The number of claimants identified was very low, and in each case the Department took a flexible and understanding approach in view of the unusual and difficult circumstances these claimants faced.

5.26 The present legislation makes explicit provisions for claimants in this situation, providing clarity and supporting consistency should similar cases arise in future.

Evacuations from Israel and the Occupied Palestinian Territories in June 2025

5.27 Previous legislation[17] providing persons fleeing Israel and the Occupied Palestinian Territories with exemptions from the habitual residence and past presence requirements only covers persons who were residing in Israel and the Occupied Palestinian Territories immediately before 7 October 2023. Therefore, persons arriving in Great Britain as a result of the Government's evacuation operation from 23 June 2025 would only be covered by existing provisions if they were residing in Israel and the Occupied Palestinian Territories immediately before 7 October 2023. To ensure a consistent approach, the Department has laid the present legislation under the urgency procedures in order that persons evacuated from Israel and the Occupied

[16] https://www.gov.uk/government/publications/national-risk-register-2025 (pages 177-178)
[17] https://www.legislation.gov.uk/uksi/2023/1144/contents/made

Palestinian Territories from 23 June 2025 are exempt from the habitual residence and past presence requirements.

6. Legislative and Legal Context

How has the law changed?

Exemptions from the habitual residence and past presence requirements

6.1 The legislation amends the following regulations to add two categories of persons (set out in paragraph 4.2) to the lists of persons exempt from the habitual residence requirements in the relevant benefits:

- The Income Support (General) Regulations 1987 (SI 1987/1967)
- The Jobseeker's Allowance Regulations 1996 (SI 1996/207)
- The State Pension Credit Regulations 2002 (SI 2002/1792)
- The Housing Benefit Regulations 2006 (SI 2006/213)
- The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (SI 2006/214)
- The Employment and Support Allowance Regulations 2008 (SI 2008/794)
- The Universal Credit Regulations 2013 (SI 2013/376)

6.2 The legislation amends the following regulations to add two categories of persons (set out in paragraph 4.2) to the lists of persons exempt from the habitual residence and past presence requirements in the relevant benefits:

- The Social Security (Invalid Care Allowance) Regulations 1976 (SI 1976/409)
- The Social Security (Attendance Allowance) Regulations 1991 (SI 1991/2740)
- The Social Security (Disability Living Allowance) Regulations 1991 (SI 1991/2890)
- The Social Security (Personal Independence Payment) Regulations 2013 (SI 2013/377)

Extended permitted temporary absence periods

6.3 The legislation amends the following regulations to add provisions permitting temporary absence of up to six months in specific circumstances (set out in paragraphs 5.15 to 5.18) in the relevant benefits:

- The Income Support (General) Regulations 1987 (SI 1987/1967)
- The Jobseeker's Allowance Regulations 1996 (SI 1996/207)
- The State Pension Credit Regulations 2002 (SI 2002/1792)
- The Housing Benefit Regulations 2006 (SI 2006/213)
- The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (SI 2006/214)
- The Employment and Support Allowance Regulations 2008 (SI 2008/794)
- The Universal Credit Regulations 2013 (SI 2013/376)
- The Social Security (Attendance Allowance) Regulations 1991 (SI 1991/2740)
- The Social Security (Disability Living Allowance) Regulations 1991 (SI 1991/2890)
- The Social Security (Personal Independence Payment) Regulations 2013 (SI 2013/377)
- The Jobseeker's Allowance Regulations 2013 (SI 2013/378)

- The Employment and Support Allowance Regulations 2013 (SI 2013/379)

Why was this approach taken to change the law?

6.4 This legislation makes provisions for certain categories of persons defined in relation to actions the Government may take in response to future emergencies that may arise overseas. The Department could alternatively have followed the existing approach of making provisions that applied only to the crisis in Israel and the Occupied Palestinian Territories which caused the Government to evacuate British nationals from 23 June 2025. This would have achieved a similar policy outcome in relation to that specific evacuation, but the Department would have to lay equivalent urgent legislation to address comparable situations that might arise in future. The approach taken in this legislation is advantageous for the reasons set out in paragraph 5.22

7. Consultation

Summary of consultation outcome and methodology

7.1 The legislation was required urgently in order that people evacuated from Israel and the Occupied Palestinian Territories by the Government from 23 June 2025 could benefit. Therefore, the Department has not formally consulted the Social Security Advisory Committee or Local Authority Associations, consistent with sections 173 and 176 of the Social Security Administration Act 1992[18].

7.2 The Department has written to the Local Authority Associations to inform them about the legislation but has not consulted them given the urgency of the legislation.

7.3 The Department will refer the regulations to the Social Security Advisory Committee as soon as practicable after they are made. The Committee have retrospectively scrutinised the Department's previous urgent legislation to respond to overseas emergencies (set out in paragraph 5.19) and provided feedback on each occasion.

7.4 The Committee raised concerns that the Department's urgent legislation following the crisis in Afghanistan enabled Afghan nationals arriving under resettlement schemes to access disability and carer benefits on arrival, but did not contain equivalent provisions for British nationals fleeing the same country. The Department's urgent legislation following the crisis in Ukraine addressed this by ensuring parity between persons under the humanitarian immigration schemes and separate to these schemes. The present, generalised legislation maintains this approach by applying the same provisions to both British nationals fleeing a crisis and persons arriving under safe and legal humanitarian immigration routes.

7.5 Following the crisis in Ukraine, the Committee recommended developing a 'standard framework' of policy and processes the Department could draw on during future emergencies. In response, the Department has worked to develop such a framework and set it out in legislation. However, two further emergencies required individualised urgent legislation before the Department could complete work on these generalised provisions. Departmental officials have met members of the Committee on three occasions during the development of this legislation to receive their feedback.

[18] https://www.legislation.gov.uk/ukpga/1992/5/contents

8. Applicable Guidance

8.1 The Department has published guidance for staff to support the implementation of the regulations in *Advice for Decision Making*[19] and the *Decision Makers' Guide*[20]. The Department has also issued an adjudication circular[21] providing equivalent guidance for local authorities administering Housing Benefit. The Department will update its published guidance as needed in future to set out how the legislation applies to each crisis that arises.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 The Department has not prepared a full Impact Assessment for this instrument because there is no impact on businesses.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because the legislation only affects the entitlement rules for welfare benefits administered by the Department and local authorities.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because the legislation generalises the approach following specific emergencies in the past.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The Department will monitor the legislation by seeking continuous insights and management information data from operational teams. Following future emergencies overseas the Department will consider whether and how the legislation had the intended outcomes and whether refinements are needed.

10.2 This legislation is designed to facilitate the Department's immediate response to a crisis that causes the Government to advise British nationals to leave a country or territory, arrange the evacuation of British nationals, or introduce a new safe and legal humanitarian immigration route. Once a crisis falls within scope of the legislation, the Department will work with other relevant areas of Government to identify whether any longer-term legislative framework is needed to enable affected persons to access additional support.

10.3 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 The Department has laid this legislation under the urgency provisions in order that persons the Government evacuated from Israel and the Occupied Palestinian Territories from 23 June 2025 onwards or who have been unable to leave can benefit from the provisions as soon as possible. If the legislation came into force 21 days or

[19] https://www.gov.uk/government/publications/advice-for-decision-making-staff-guide
[20] https://www.gov.uk/government/collections/decision-makers-guide-staff-guide
[21] https://www.gov.uk/government/collections/housing-benefit-for-local-authorities-circulars

more after being laid, as is conventional, this could delay the Department's provision of crisis support to these persons.

12. European Convention on Human Rights

12.1 No statement is required because the legislation is subject to the negative resolution procedure and does not amend primary legislation.

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 ("relevant European Union Acts").