This Statutory Rule has been made in consequence of a defect in S.R. 2016 Nos. 216 and 224, S.R 2022 No. 194 and S.R. 2025 No. 136 and is being issued free of charge to all known recipients of those Statutory Rules.

STATUTORY RULES OF NORTHERN IRELAND

2026 No. 177

SOCIAL SECURITY

The Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2026

Made - - - -	*9th October 2026*
Coming into operation	*30th October 2026*

The Department for Communities(**a**) makes the following Regulations in exercise of the powers conferred by sections 122(1)(d), 129A(2), 132(3) and (4), 132A(3) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**b**), and now vested in it(**c**), sections 69(8), 69ZC(1) and 165(1), (4) and (6) of the Social Security Administration (Northern Ireland) Act 1992(**d**), paragraph 8 of Schedule 1 to the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997(**e**), sections 1(5)(b), 15(3) and (6)(b), 17(2)(a) and 19(1) to (3) of the State Pension Credit Act (Northern Ireland) 2002(**f**), sections 4(2), 17(1) and (3) and 25(2) of the Welfare Reform Act (Northern Ireland) 2007(**g**), Articles 48(1) and (2), 85(1) and (3), 98 and 99(1) of, and paragraph 4(1) and (3)(a) of Schedule 1, paragraphs 1(1) and 4(1)(b) and (2)(d) of Schedule 6, and paragraph 1(1) of Schedule 10 to the Welfare Reform (Northern Ireland) Order 2015(**h**).

Regulations 4 and 5 are made with the consent of the Department of Finance(**i**).

(**a**) See section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

(**b**) 1992 c. 7. Section 129A was inserted by section 30(2) of the Welfare Reform Act (Northern Ireland) 2007 (c. 2). Section 132A was inserted by paragraph 3 of Schedule 2 to the State Pension Credit Act (Northern Ireland) 2002 (2002 c. 14)

(**c**) See Article 8(b) of S.R. 1999 No. 481

(**d**) 1992 c. 8; section 69(8) was amended by paragraph 8 of Schedule 4 to the Tax Credits Act 2002 (c. 21) and was amended by section 107(2) of the Welfare Reform Act 2012 (c. 5), section 69ZC(1) was inserted by Article 109(1) of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1)), section 165(1) was amended by paragraph 49(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999 (S.I. 1999/671) and Section 18(5) of the National Insurance Contributions Act 2014 (c. 7) and subsection (6) was amended by Schedule 7 to the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))

(**e**) 1997 NI. 1183 (N.I. 12)

(**f**) 2002 c. 14 (N.I.)

(**g**) 2007 c. 2 (N.I.)

(**h**) S.I. 2015/2006 (N.I. 1); see Article 2 of the Welfare Reform (Northern Ireland) Order 2015 (Cessation of Transitory Provision) Order 2020 (S.I. 2020/927)

(**i**) See section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 N.I. 8)); see also Article 6(b) of S.R. 1999 No. 481 and section 1(4) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2026 and come into operation on 30th October 2026.

(2) The Interpretation Act (Northern Ireland) 1954(**a**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Social Security (Recovery of Benefits) Regulations

2. In regulation 2(2) of the Social Security (Recovery of Benefits) Regulations (Northern Ireland) 1997 (exempted trusts and payments)(**b**) after sub-paragraph (u) insert—

"(ua) any payment that is made under the Mother and Baby Institutions Payment Scheme established by the Irish Government under section 5 of the Irish Mother and Baby Institutions Payment Scheme Act 2023(**c**);".

Amendment of the State Pension Credit Regulations

3. —(1) The State Pension Credit Regulations (Northern Ireland) 2003(**d**) are amended in accordance with paragraphs (2) to (5).

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) after the definition of "miscarriage of justice compensation payment"(**e**) insert—

""Mother and Baby Scheme payment" means a payment under the Mother and Baby Institutions Payment Scheme established by the Irish Government under section 5 of the Irish Mother and Baby Institutions Payment Scheme Act 2023;";

(b) in the definition of "qualifying person"(**f**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

(3) In regulation 5(1D)(**g**) (persons treated as being or not being members of the same household) after sub-paragraph (a) insert—

"(aa) paragraph (1A)(a), (b) or (c) applied to the person when the public information was issued or the evacuation began;".

(4) In paragraph 14(8) (persons residing with the claimant) of Schedule 2 (housing costs) after head (be)(**h**) insert—

"(bea)any Mother and Baby Scheme payment;".

(5) In paragraph 15 of Schedule 5 (income from capital)—

(a) in sub-paragraph (1A)(**i**) after "LGBT Financial Recognition Scheme payment" insert ", Mother and Baby Scheme payment";

(b) in each of sub-paragraphs (2) to (5) and (6)(**j**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

(**a**) 1954 c. 33 (N.I.)
(**b**) S.R. 1997 No. 429; relevant amending instrument is S.R. 2025 No. 24. Sub-paragraph (u) was inserted by regulation 9(2) of S.R. 2023 No. 97
(**c**) Number 20 of 2023 of the Acts of the Oireachtas of the Republic of Ireland
(**d**) S.R. 2003 No. 28; relevant amending Regulations are S.R. 2004 No. 213, S.R. 2005 Nos. 536 and 550, S.R. 2010 No. 69, S.R. 2011 No. 357, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 Nos. 97 and 184 and S.R. 2025 Nos. 24, 122 and 136
(**e**) The definition of "miscarriage of justice compensation payment" was inserted by regulation 4(2)(a) of S.R. 2025 No. 122
(**f**) The definition of "qualifying person" was amended by S.R. 2004 No. 213, S.R. 2005 No. 550, S.R. 2010 No. 69, S.R. 2011 No. 357, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 Nos. 97 and 184, S.R. 2025 Nos. 24 and 122
(**g**) Regulation 5(1D) was inserted by regulation 6(3)(c) of S.R. 2025 No. 136
(**h**) Head (be) was inserted by regulation 5(3) of S.R. 2025 No. 24
(**i**) Sub-paragraph (1A) was inserted by regulation 4(4)(a)(ii) of S.R. 2020 No. 108 and amended by S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122
(**j**) Sub-paragraphs (2) to (5) and (6) were amended by S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122. Sub-paragraphs (2) to (5) were also amended by S.R. 2005 No. 536 and S.R. 2010 No. 69

Amendment of the Housing Benefit Regulations

4.—(1) The Housing Benefit Regulations (Northern Ireland) 2006(**a**) are amended in accordance with paragraphs (2) to (8).

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "miscarriage of justice compensation payment"(**b**) insert—

""Mother and Baby Scheme payment" means a payment under the Mother and Baby Institutions Payment Scheme established by the Irish Government under section 5 of the Irish Mother and Baby Institutions Payment Scheme Act 2023;";

(b) in the definition of "qualifying person"(**c**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

(3) In regulation 39(7A)(**d**) (notional income) after sub-paragraph (e), insert—

"(ea) a Mother and Baby Scheme payment;".

(4) In regulation 43(6)(**e**) (income treated as capital), after "an LGBT Financial Recognition Scheme payment", insert ", a Mother and Baby Scheme payment".

(5) In regulation 46(4A)(**f**) (notional capital), after sub-paragraph (f), insert—

"(fa)a Mother and Baby Scheme payment;".

(6) In regulation 72(9) (non-dependant deductions), after sub-paragraph (bf), insert—

"(bg) any Mother and Baby Scheme payment;".

(7) In paragraph 37 of Schedule 6 (sums to be disregarded in the calculation of income other than earnings)—

(a) in sub-paragraph (1A)(**g**), after head (e), insert—

"(ea) Mother and Baby Scheme payment;";

(b) in each of sub-paragraphs (2) to (6)(**h**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

(8) In paragraph 25 of Schedule 7 (capital to be disregarded)—

(a) in sub-paragraph (1A)(**i**) after "LGBT Financial Recognition Scheme payment" insert ", Mother and Baby Scheme payment";

(b) in each of sub-paragraphs (2) to (5) and (6)(**j**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

(**a**) S.R. 2006 No. 405; relevant amending Instruments are S.R. 2008 No. 428, S.R. 2010 No. 69, S.R. 2011 No. 357, S.I. 2013/3021, S.R. 2016 No. 228, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.I. 2021/786, S.I. 2022/177, S.R. 2023 Nos. 97 and 184, S.I. 2024/919 and S.R. 2025 Nos. 24 and 122

(**b**) The definition of "miscarriage of justice compensation payment" was inserted by regulation 5(2)(a) of S.R. 2025 No. 122

(**c**) The definition of "qualifying person" was amended by S.R. 2010 No. 69, S.R. 2011 No. 357, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 Nos. 97 and 184 and S.R. 2025 Nos. 24 and 122

(**d**) Regulation 39(7A) was inserted by regulation 5(3)(c) of S.R. 2020 No. 108 and amended by S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**e**) Regulation 43(6) was amended by S.R. 2008 No. 428, S.R. 2010 No. 69, S.R. 2011 No. 357, S.R. 2017 No. 205, S.R. 2017 No. 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 Nos. 97 and 184 and S.R. 2025 Nos. 24 and 122

(**f**) Regulation 46(4A) was inserted by regulation 5(5)(c) of S.R. 2020 No. 108 and amended by S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**g**) Sub-paragraph (1A) was inserted by regulation 5(11)(b) of S.R. 2020 No. 108 and amended by S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**h**) Sub-paragraphs (2) to (5) were amended by S.R. 2010 No. 69. Sub-paragraphs (2) to (6) were amended by S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**i**) Sub-paragraph (1A) was inserted by regulation 5(12)(b)(ii) of S.R. 2020 No. 108 and amended by S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**j**) Sub-paragraphs (2) to (5) and (6) were amended by regulation 8(5)(g) of S.R. 2010 No. 69, regulation 5(12)(b)(iii) and (iv) of S.R. 2020 No. 108, regulation 5(8)(a)(ii) of S.R. 2021 No. 345, regulation 5(8)(b) of S.R. 2023 No. 97, regulation 6(8)(b) of S.R. 2025 No. 24 and regulation 5(8)(b) of S.R. 2025 No. 122

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations

5.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(**a**) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "miscarriage of justice compensation payment"(**b**), insert—

""Mother and Baby Scheme payment" means a payment under the Mother and Baby Institutions Payment Scheme established by the Irish Government under section 5 of the Irish Mother and Baby Institutions Payment Scheme Act 2023;";

(b) in the definition of "qualifying person"(**c**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

(3) In regulation 53(10) (non-dependant deductions) after sub-paragraph (bf), insert—

"(bg) any Mother and Baby Scheme payment;".

(4) In paragraph 16 of Schedule 7 (capital to be disregarded)—

(a) in sub-paragraph (1A)(**d**) after "LGBT Financial Recognition Scheme payment" insert ", Mother and Baby Scheme payment";

(b) in each of sub-paragraphs (2) to (5) and (6)(**e**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

Amendment of the Employment and Support Allowance Regulations

6.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008(**f**) are amended in accordance with paragraphs (2) to (8).

(2) In regulation 2(1) (interpretation)—

(a) after the definition of "mobility supplement" insert—

""Mother and Baby Scheme payment" means a payment under the Mother and Baby Institutions Payment Scheme established by the Irish Government under section 5 of the Irish Mother and Baby Institutions Payment Scheme Act 2023;";

(b) in the definition of "qualifying person"(**g**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

(3) In regulation 107(5A)(**h**) (notional income – income due to be paid or income paid to or in respect of a third party) after sub-paragraph (e) insert—

"(ea) a Mother and Baby Scheme payment;".

(4) In regulation 112(8)(b)(**i**) (income treated as capital) after head (v) insert—

"(va) Mother and Baby Scheme payment;".

(**a**) S.R. 2006 No. 406; relevant amending Regulations are S.R. 2010 Nos. 69 and 103, S.R. 2011 No. 357, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345 and S.R. 2023 Nos. 97 and 184 and S.R. 2025 Nos. 24 and 122

(**b**) The definition of "miscarriage of justice compensation payment" was inserted by regulation 6(2)(a) of S.R. 2025 No. 122

(**c**) The definition of "qualifying person" was amended by S.R. 2010 No. 69, S.R. 2011 No. 357, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 Nos. 97 and 184 and S.R. 2025 Nos. 24 and 122

(**d**) Sub-paragraph (1A) was inserted by regulation 6(4)(a)(ii) of S.R. 2020 No. 108 and amended by S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**e**) Sub-paragraphs (2) to (5) were amended by S.R. 2010 No. 69. Sub-paragraphs (2) to (6) were amended by S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**f**) S.R. 2008 No. 280; relevant amending Regulations are S.R. 2010 No. 69, S.R. 2011 No. 357, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 Nos. 97 and 184 and S.R. 2025 Nos. 24 and 122

(**g**) The definition of "qualifying person" was amended by S.R. 2010 No. 69, S.R. 2011 No. 357, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 Nos. 97 and 184 and S.R. 2025 Nos. 24 and 122

(**h**) Regulation 107(5A) was inserted by regulation 7(3)(d) of S.R. 2020 No. 108 and amended by S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**i**) Regulation 112(8)(b) was substituted by regulation 7(4) of S.R. 2021 No. 345 and amended by S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(5) In regulation 115(5A)(**a**) (notional capital) after sub-paragraph (f) insert—

"(fa)a Mother and Baby Scheme payment;".

(6) In paragraph 19(8)(b)(**b**) (non-dependant deductions) of Schedule 6 (housing costs) for "or miscarriage of justice compensation payment" substitute ", miscarriage of justice compensation payment, Mother and Baby Scheme payment".

(7) In paragraph 40 of Schedule 8 (sums to be disregarded in the calculation of income other than earnings)—

(a) in sub-paragraph (1A)(**c**) after head (e) insert—

"(ea) Mother and Baby Scheme payment;".

(b) in each of sub-paragraphs (2) to (6)(**d**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

(8) In paragraph 27 of Schedule 9 (capital to be disregarded)—

(a) in sub-paragraph (1A)(**e**) after "LGBT Financial Recognition Scheme payment" insert ", Mother and Baby Scheme payment";

(b) in each of sub-paragraphs (2) to (5) and (6)(**f**) after "an LGBT Financial Recognition Scheme payment" insert ", a Mother and Baby Scheme payment".

Amendment of the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations

7. In regulation 7(2) of the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations (Northern Ireland) 2008 (exempted trusts and payments)(**g**), after sub-paragraph (r) insert—

"(ra)any payment that is made under the Mother and Baby Institutions Payment Scheme established by the Irish government under section 5 of the Irish Mother and Baby Institutions Payment Scheme Act 2023;".

Amendment of the Universal Credit Regulations

8.—(1) The Universal Credit Regulations (Northern Ireland) 2016(**h**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 55(2)(b) (employed earnings), after "Part 4" insert "(other than section 232)".

(3) In regulation 76 (special schemes for compensation etc.) after paragraph (1C) insert—

"(1CA) This regulation also applies where a person receives a payment under the Mother and Baby Institutions Payment Scheme established by the Irish Government under section 5 of the Irish Mother and Baby Institutions Payment Scheme Act 2023.".

(**a**) Regulation 115(5A) was inserted by regulation 7(5)(d) of S.R. 2020 No. 108 and amended S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**b**) Paragraph 19(8)(b) was amended by S.R. 2010 No. 69, S.R. 2011 No. 357, S.R. 2017 Nos. 205 and 219, S.R. 2020 No. 108, S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**c**) Sub-paragraph (1A) was substituted by regulation 7(7)(b)(i) of S.R. 2021 No. 345 and amended by S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**d**) Sub-paragraphs (2) to (5) were amended by S.R. 2010 No. 69, S.R. 2021 No. 345 and S.R. 2023 No. 97. S.R. 2025 No. 24. Sub-paragraphs (2) to (6) were amended by S.R. 2020 No. 108 and S.R. 2025 Nos. 24 and 122.

(**e**) Sub-paragraph (1A) was inserted by regulation 7(12)(a)(ii) of S.R. 2020 No. 108 and amended by S.R. 2021 No. 345, S.R. 2023 No. 97 and S.R. 2025 Nos. 24 and 122

(**f**) Sub-paragraphs (2) to (5) were amended by S.R. 2010 No. 69, S.R. 2021 No. 345 and S.R. 2023 No. 97. Sub-paragraphs (2) to (6) were amended by S.R. 2020 No. 108 and S.R. 2025 Nos. 24 and 122

(**g**) S.R. 2008 No. 355; relevant amending instrument is S.R. 2025 No. 24. Sub-paragraph (r) was inserted by regulation 10(2) of S.R. 2023 No. 97

(**h**) S.R. 2016 No. 216

Amendment of the Universal Credit (Transitional Provisions) Regulations

9.—(1) The Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016(**a**) are amended in accordance with paragraph (2).

(2) In regulation 56 (the transitional element – initial amount and adjustment where other elements increase)—

(a) in paragraph (4), for "paragraphs (5) and (5A)" substitute "paragraphs (5), (5A) and (5B)";

(b) after paragraph (5A), insert—

"(5B) In an assessment period where—

(a) the carer element has been replaced by the LCW element or the LCWRA element, or

(b) the LCW element or the LCWRA element has been replaced by the carer element,

the "relevant increase" is to be treated as the net increase (if any) produced by deducting the amount of the element which is being removed from the amount of the element replacing it. ";

(c) in paragraph (6)—

(i) after "In this regulation," insert ""carer element",";

(ii) after ""housing costs element"" omit ", "LCW element"";

(d) after paragraph (6), insert—

"(7) In this regulation, "LCW element" has the same meaning as in regulation 28 of the Universal Credit Regulations (Northern Ireland) 2016 as it has effect apart from the amendments made by regulation 2(3) of the Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017(**b**).".

Amendment of the Social Security (Overpayments and Recovery) Regulations

10. In regulation 14(2)(a) of the Social Security (Overpayments and Recovery) Regulations (Northern Ireland) 2016 (recovery by deduction from state pension credit)(**c**) for "25 per cent" substitute "40 per cent".

Amendment of the Personal Independence Payment (Transitional Provisions) Regulations

11.—(1) The Personal Independence Payment (Transitional Provisions) Regulations (Northern Ireland) 2016(**d**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 13 (failure to provide information etc.)—

(a) after paragraph (1) insert—

"(1A) Where it is accepted that the claimant had good reason for the failure giving rise to a determination under paragraph (1), whether or not at the same time as making an assessment determination, the determination under paragraph (1) is treated as not made and the transfer claimant's entitlement to disability living allowance is reinstated as if the determination had never been made.";

(b) omit paragraph (2).

(3) In regulation 17 (procedure following and consequences of determination of claim for personal independence payment)—

(a) in paragraph (1)(b), omit "except where regulation 13(2) applies to the claimant,";

(**a**) S.R. 2016 No. 226
(**b**) S.R. 2017 No. 146
(**c**) S.R. 2016 No. 224
(**d**) S.R. 2016 No. 227

(b) omit paragraph (4)(b);

(c) in paragraph (5)(a), omit "except where regulation 13(2) applies to the claimant,".

Sealed with the Official Seal of the Department for Communities on 9th October 2026

(L.S.)

David Tarr
A senior officer of the Department for Communities

The Department of Finance hereby consents to regulations 4 and 5 of the foregoing regulations

Sealed with the Official Seal of the Department of Finance on 9th October 2026

(L.S.)

Patrick Neeson
A senior officer of the Department of Finance

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to the Social Security (Recovery of Benefits) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 429), the State Pension Credit Regulations (Northern Ireland) 2003 (S.R. 2003 No. 28), the Housing Benefit Regulations (Northern Ireland) 2006 (S.R. 2006 No. 405), the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 (S.R. 2006 No. 406), the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations (Northern Ireland) 2008 (S.R. 2008 No. 355), the Employment and Support Allowance Regulations (Northern Ireland) 2008 (S.R. 2008 No. 280), the Universal Credit Regulations (Northern Ireland) 2016 (S.R. 2016 No. 216), the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 226), the Social Security (Overpayments and Recovery) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 224) and the Personal Independence Payment (Transitional Provisions) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 227).

Regulation 1 provides for citation, commencement and interpretation.

Regulations 2 and 7 amend respectively the Social Security (Recovery of Benefits) Regulations (Northern Ireland) 1997 and the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations (Northern Ireland) 2008 to exempt payments under the Mother and Baby Institutions Payment Scheme established by the Irish Government under the Irish Mother and Baby Institutions Payment Scheme Act 2023 (No. 20 of 2023 of the Acts of the Oireachtas of the Republic of Ireland) from compensation recovery pursuant to the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 (S.I. 1997/1183 (N.I. 12)).

Regulations 3, 4, 5 and 6 amend respectively the State Pension Credit Regulations (Northern Ireland) 2003, the Housing Benefit Regulations (Northern Ireland) 2006, the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 and the Employment and Support Allowance Regulations (Northern Ireland) 2008. In particular, they amend as appropriate provisions regarding which payments are to be disregarded as income and capital for the purposes of calculating entitlement to benefits in order to create new disregards. The disregards cover payments made under the Mother and Baby Institutions Payment Scheme.

Regulation 3 also amends regulation 5 of the State Pension Credit Regulations (Northern Ireland) 2003, which determines whether a person is treated as being or not being a member of the same household as the claimant, including while they are temporarily absent from Northern Ireland. Paragraph (1D) of regulation 5 provides for a category of permitted temporary absence outside Northern Ireland applying to persons who, during such a period of absence, were in a country or territory immediately before His Majesty's Government provided public information to advise British nationals to leave that country or territory or arranged the evacuation of British nationals from that country or territory. The amendment makes it clear that this category of permitted absence applies only where the person is abroad pursuant to other temporary absence provisions when the public information was issued or the evacuation began.

Regulation 8 amends the Universal Credit Regulations (Northern Ireland) 2016 to clarify that a claimant's employed earnings for universal credit purposes are not to be reduced by reference to any mileage allowance relief provided through the tax system, and to introduce new disregards for payments made under the Mother and Baby Institutions Payment Scheme.

Regulation 9 provides that when calculating the adjustment of a transitional element under regulation 56 of the Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, if the LCW element or the LCWRA element replaces the carer element, or if the carer element replaces either the LCW element or the LCWRA element, the "relevant increase" is the net increase (if any) between the two amounts.

Regulation 10 amends regulation 14 of the Social Security (Overpayments and Recovery) Regulations (Northern Ireland) 2016 so that the rate of recovery for deduction of state pension credit for overpayments of the prescribed benefits resulting from an admission of fraud, a fraud

conviction or an administrative penalty as an alternative to prosecution is increased from 5 times 5 per cent. (25%) to 8 times 5 per cent. (40%).

Regulation 11 amends regulation 13 of the Personal Independence Payment (Transitional Provisions) Regulations (Northern Ireland) 2016 (the PIP Transitional Regulations), which makes provision for ending an award of disability living allowance (DLA) where a transfer claimant (as defined by regulation 2 of those Regulations) fails to comply with requirements connected with a personal independence payment (PIP) claim. Regulation 13 of the PIP Transitional Regulations applies in two scenarios. The first is where a 'negative determination' is made under regulation 8 or 9 of the Personal Independence Payment Regulations (Northern Ireland) 2016 because the claimant has failed to provide information or evidence or has failed to attend or participate in a required consultation. The second is where there is a determination that the claimant has failed to comply with a requirement imposed under regulation 34 or 36 of the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016 in connection with a PIP claim.

Regulation 11 inserts a new paragraph (1A) into regulation 13 of the PIP Transitional Regulations. The new paragraph provides that where it is accepted that the claimant had good reason for the failure giving rise to a determination under regulation 13(1), that determination is treated as not having been made and the claimant's award of DLA is reinstated as if the determination had never been made. This applies regardless of whether entitlement to PIP is determined as part of the same revision, appeal or other proceedings. Regulation 11 also removes regulation 13(2) and makes consequential amendments to regulation 17. The effect is that all successful good reason claimants are treated under the same legislative framework and are subject to the same DLA run-on and PIP commencement provisions, regardless of how or when entitlement to PIP is determined.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992, are not subject to requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

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