



# Northern Ireland Assembly

## COMMITTEE FOR COMMUNITIES

### MINUTES OF PROCEEDINGS

**Monday 6 April 2020**  
**Senate Chamber, Parliament Buildings**

Present, Senate: Paula Bradley MLA (Chairperson)  
Kellie Armstrong MLA (Deputy Chairperson)  
Andy Allen MBE MLA  
Jonathan Buckley MLA

Present, Teleconferencing: Mark Durkan MLA  
Sinéad Ennis MLA  
Fra McCann MLA  
Robin Newton MBE MLA  
Carál Ní Chuilín MLA

In Attendance: Kevin Pelan (Assembly Clerk)  
Sean McCann (Assistant Assembly Clerk)  
Oliver Bellew (Clerical Officer)

*The meeting commenced in open session at 10:06 a.m.*

#### **1. Apologies**

There were no apologies to record.

#### **2. Draft Minutes**

*Agreed:* The Committee agreed the minutes of the meeting held on Thursday 18 March 2020.

### **3. Chairperson's Business**

The Chairperson advised members that the committee had been provided with a note of her conversation with the Minister which had been held the previous week. The Chairperson also advised members that the Minister had agreed to provide further information on those issues.

The Chairperson provided an overview of her conversation with Robert Murtagh of the National Union of Students on the impact of COVID-19 on student renters and students who have lost their jobs as a result of the crisis.

The Chairperson advised members that she was contacted by CAMRA regarding their concerns that if changes are not made to allow small breweries to sell their products online they are likely to go under.

*Agreed:* Members agreed to write to the Minister on the issues facing small breweries to determine if there can be a change in the legislation to assist them.

### **4. Matters Arising**

The Chairperson referred members to the fifth report of the Examiner of Statutory Rules.

The Chairperson informed members that the Examiner drew attention to The draft Discretionary Support (Amendment) (Covid-19) Regulations (NI) 2020 and the clarification required.

The Chairperson advised members that the Examiner was content for the Department to provide a correction slip to make the appropriate addition on this occasion. The addition, although minor, will add to the clarity of the provision.

Members agreed to note the Examiner of Statutory Rules Report.

### **5. Ministerial briefing – Private Tenancies (Corona-virus Modifications) Bill**

Minister for Communities, Ms Deirdre Hargey MLA, Mr David Polley, Housing and Supply Policy and Eilish O'Neill, Private Rented Sector joined the meeting via teleconference at 10:18 a.m.

The following interests were declared:

Andy Allen MBE MLA declared an interest as a private landlord.

Robin Newtown MBE MLA declared an interest as a private landlord.

Members noted that the Bill had been renamed.

The Minister provided the Committee with an overview of the Private Tenancies (Corona-virus Modifications) Bill.

The oral evidence was followed by a question and answer session on the Bill and other Covid-19 related issues.

*Agreed:* The Committee agreed to write to the department on the following:

- To request a copy of the guidance on the Bill once complete.
- To request that simplified guidance is made available to the public outlining the options available to them with this Bill.
- That the Committee is notified of further measures that would be introduced in the coming days and weeks.
- That the Committee is updated on consideration of the problems faced by those without a bank account that are entitled to payments for school meals.
- To request an update on the proposed Community Support Fund once it had been considered by the Executive.

The Chairperson thanked the Minister and her officials for their attendance.

## **6. Westminster Pension Schemes Bill Legislative Consent Motion**

The Chairperson reminded members that they had previously received a briefing from departmental officials on this LCM.

The Chairperson advised members that the Minister had not yet laid the LCM before the Assembly. Once she does, the LCM will be formally referred to the Committee. The Chairperson further advised members that the Committee may, within 15 working days from the date of referral, consider those issues in the Bill that are devolved and report on them to the Assembly.

*Agreed:* Members agreed to note the LCM and asked that the Committee Clerk identify any potential witnesses who could provide evidence on the Bill.

## **7. SL1 - The Discretionary Support (Amendment) (Covid-19) Regulations (NI) 2020**

The Chairperson advised members that the SL1 refers to SR 2020/44 - The Discretionary Support (Amendment) (Covid-19) Regulations (NI) 2020 which was affirmed by the Assembly on 24 March.

*Agreed:* Members agreed to note SL1 - The Discretionary Support (Amendment) (Covid-19) Regulations (NI) 2020

**8. SR 2020/44 - The Discretionary Support (Amendment) (Covid-19) Regulations (NI) 2020**

The Chairperson advised members that this SR was affirmed by a resolution of the Assembly on 24 March 2020.

*Agreed:* Members agreed to note SR 2020/44 - The Discretionary (Amendment) (Covid-19) Regulations (NI) 2020

**9. SL1 - The Discretionary Support (Amendment No. 2) (Covid-19) Regulations (NI) 2020**

The following departmental officials joined the meeting via teleconference at 11.25 a.m.

Anne McCleary, Director, Social Security Policy and Legislation  
David Tarr, Social Policy Development

The officials briefed the Committee and answered members' questions on SL1 - The Discretionary Support (Amendment No. 2) (Covid-19) Regulations (NI) 2020

The oral evidence was followed by a question and answer session.

*Agreed:* The Committee agreed that it was content for the Rule to be made.

*Agreed:* That the Department investigates further as to whether there are IT issues in claiming discretionary payments as there were concerns expressed that those using iPads were unable to access the online application form.

The Chairperson thanked the officials for their attendance.

**10. SR 2020/27 - The Social Security Revaluation of Earning Factors (NI) Order 2020**

The Committee considered SR 2020/27 - The Social Security Revaluation of Earning Factors (NI) Order 2020, which provides that earnings factors relating to National Insurance contributions for historic tax years, used in calculation of additional State Pension and Guaranteed Minimum Pensions (GMPs), maintain their value in line with the increase in average earnings.

*Agreed:* The Committee considered SR 2020/27 - The Social Security Revaluation of Earning Factors (NI) Order 2020 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule.

**11. SR 2020/28 - The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order (NI) 2020**

The Committee considered SR 2020/28 - The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order (NI) 2020, which specifies the Pension Protection fund levy ceiling and the standard amount of the compensation cap for financial year beginning 1 April 2020.

*Agreed:* The Committee considered SR 2020/28 - The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order (NI) 2020 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule

**12. SR 2020/30 - The Occupational and Personal Pension Schemes (General Levy) (Amendments) Regulations**

The Committee considered SR 2020/30 - The Occupational and Personal Pension Schemes (General Levy) (Amendments) Regulations, which give effect to new rates that will be used to calculate the general levy payable by occupational pension schemes and personal pension schemes.

*Agreed:* The Committee considered SR 2020/30 - The Occupational and Personal Pension Schemes (General Levy) (Amendments) Regulations and, subject to the Examiner of Statutory Rules Report, had no objection to the rule

**13. SR 2020/35 - The Guaranteed Minimum Pensions Increase Order (NI) 2020**

The Committee considered SR 2020/35 - The Guaranteed Minimum Pensions Increase Order (NI) 2020, which specifies the percentage by which guaranteed minimum pension element of an individual's occupational pension entitlement is increased with effect from 6 April 2020.

*Agreed:* The Committee considered SR 2020/35 - The Guaranteed Minimum Pensions Increase Order (NI) 2020 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule.

**14. 2020/36 - The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (NI) 2020**

The Committee considered SR 2020/36 - The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (NI) 2020, which is one of a series of Statutory Rules relating to the annual up-rating of social security benefits and pensions to increase amount payable 1.7 per cent - in line with the increase in Industrial Injuries Benefit.

*Agreed:* The Committee considered SR 2020/36 - The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations (NI) 2020 and recommends that it be confirmed by the Assembly.

**15. 2020/37 - The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 2) Regulations (NI) 2020**

The Chairperson advised members that the regulations came into force on 19<sup>th</sup> March in breach of the 21-day Rule.

The Chairperson further informed members that they were made in urgency to ensure that people who self-isolate in accordance with government advice, and are therefore incapable of work, are entitled to Statutory Sick Pay.

*Agreed:* The Committee considered SR 2020/37 The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 2) Regulations (NI) 2020 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule.

**16. SR 2020/40 - The Social Security Benefits Up-rating Order (NI) 2020**

The Chairperson advised members that the committee had considered the SL1 for these regulations at its meeting on 5<sup>th</sup> March and was content.

The Committee considered SR 2020/40 - The Social Security Benefits Up-rating Order (NI) 2020, which is part of a series of statutory rules relating to the annual up-rating of certain social security benefits, pensions and allowances from April 2020.

*Agreed:* The Committee considered SR 2020/40 - The Social Security Benefits Up-rating Order (NI) 2020 and recommends that it be confirmed by the Assembly.

**17. SR 2020/41 - The Social Security Benefits Up-rating Regulations (NI) 2020**

The Chairperson advised members that the committee had considered the SL1 for these regulations at its meeting on 5<sup>th</sup> March and was content.

The Committee considered SR 2020/41 - The Social Security Benefits Up-rating Regulations (NI) 2020, which is part of a series of statutory rules relating to the annual up-rating of social security benefits and pensions. The regulations also amend the earning limit in Carers Allowance.

*Agreed:* The Committee considered SR 2020/41 - The Social Security Benefits Up-rating Regulations (NI) 2020 and recommends that it be confirmed by the Assembly.

**18. SR 2020/45 - The Employment and Support Allowance and Housing Benefit (Transitional Provisions) (Amendment) Regulations (NI) 2020**

The Committee considered SR 2020/45 - The Employment and Support Allowance and Housing Benefit (Transitional Provisions) (Amendment) Regulations (NI) 2020, which would allow the protection of transitional awards to continue until naturally reduced to nil, the ESA claim is closed or claims are migrated to Universal Credit.

*Agreed:* The Committee considered SR 2020/45 - The Employment and Support Allowance and Housing Benefit (Transitional Provisions) (Amendment) Regulations (NI) 2020 and, subject to the Examiner of Statutory Rules Report, had no objection to the rule.

**19. SR 2020/49 - The Occupational Personal Pension Schemes (General Levy) (Revocation) Regulations (NI) 2020**

The Chairperson advised members that the committee had considered the SL1 for these regulations at its meeting on 5<sup>th</sup> March and was content.

The Committee considered SR 2020/49 - The Occupational Personal Pension Schemes (General Levy) (Revocation) Regulations (NI) 2020, which revoke The Occupational and Personal Pension Schemes (General Levy) (Amendment) Regulations (NI) 2020, which gave effect to the new rates to calculate the general levy payable by occupational pension schemes and personal pension schemes, before they come into operation on 1<sup>st</sup> April 2020.

*Agreed:* The Committee considered SR 2020/49 - The Occupational Personal Pension Schemes (General Levy) (Revocation) Regulations (NI) 2020, and subject to the Examiner of Statutory Rules Report, had no objection to the rule.

**20. SR 2020/51 - The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order (NI) 2020**

The Chairperson advised members that the committee had considered the SL1 for these regulations at its meeting on 5<sup>th</sup> March and was content.

The Committee considered SR 2020/51 - The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order (NI) 2020, which sets the amount of the lower limit of the automatic enrolment qualifying earnings band for 2020-2021 year in-line with the lower National Insurance contributions earnings limit for that year. It also specifies rounded figures for the earnings trigger and qualifying earnings band for that year.

*Agreed:* The Committee considered SR 2020/51 - The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order (NI) 2020, and subject to the Examiner of Statutory Rules Report, had no objection to the rule.

## 21. Correspondence

Members considered an invitation to visit and hold an external meeting at Burren GAA Club, Co. Down.

The Chairperson reminded members that the Committee had previously accepted invitations to visit and/or hold meetings at the Kingspan Stadium and Windsor Stadium.

*Agreed:* Members agreed to visit and/or hold a future meeting at Burren GAA, albeit conditional on the Covid-19 crisis.

The Chairperson asked members if they wished to bring any correspondence issues to the attention of the Committee.

The following interests were declared:

Andy Allen MBE MLA declared an interest as a Charity Trustee

*Agreed:* Members agreed to write to the Department seeking an update on the Charity Commission in relation to the recent court ruling and to invite representatives from the Charity Commission to brief the Committee at a future meeting.

The Committee noted the following:

- I. Copy of Cliff Edge Coalition correspondence to the Minister regarding bedroom tax mitigations.
- II. A copy of the Press Recognition Panel Annual Report March 2020.
- III. A copy of NI Human Rights Commission Citizen and Birthright publications March 2020.
- IV. Irish Congress of Trade Unions briefing paper.
- V. Department for Communities Strategic Investment Report March 2020.
- VI. Copy of Dr Esmond Birnie evidence to the House of Commons NI Affairs Committee on New Decade, New Agreement approach.
- VII. HERE NI correspondence regarding funding crisis.
- VIII. Correspondence from Finance Minister regarding revised arrangements for 2020-2021 In-year Monitoring Process.



## **22. Any Other Business**

*Agreed:* Members agreed to write to the Department expressing the Committee's thanks for their hard work and dedication during Covid-19 public health emergency.

## **23. Date, Time and Place of the next meeting**

The next meeting will be on Thursday 23 April at 10.00 a.m. in Room 29, Parliament Buildings.

*The meeting adjourned at 12.04 p.m.*

**Ms Paula Bradley MLA**  
**Chairperson, Committee for Communities**