



Northern Ireland  
Assembly

# Committee for Communities

## Minutes of Proceedings

Thursday 15 February 2024

**Meeting Location:** Room 29, Parliament Buildings, Belfast

**Present:**

- Mr Colm Gildernew (Chairperson) MLA
- Ms Ciara Ferguson (Deputy Chairperson) MLA
- Ms Kellie Armstrong MLA
- Mr Andy Allen MBE MLA
- Mr Maurice Bradley MLA
- Mr Brian Kingston MLA
- Ms Sian Mulholland MLA
- Mr Daniel McCrossan MLA
- Mr Maolísa McHugh MLA

**Apologies:** None

**In Attendance:**

- Mrs Emer Boyle (Assembly Clerk)
- Mr Sean McCann (Assistant Clerk)
- Mr Chris McAfee (Clerical Supervisor)

The meeting commenced in open session at 10.00a.m.



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### **1. Apologies**

There were no apologies to record.

### **2. Chairperson's Business**

The Chairperson informed members that he and the Deputy Chair had held an informal meeting with the Minister on Tuesday 13 February. It was a positive meeting where it was agreed that there would be collaborative working. It is planned that the Minister will attend the Committee meeting on 29 February to brief members.

### **3. Declaration of interests**

The Committee noted a memo from the Clerk.

The Chairperson informed members that all assembly members are required to register relevant interests in the Register of Members' Interests.

The Chairperson drew attention to Standing Order 69(5) and asked members if they had any interests to declare.

The following interests were declared:

Colm Gildernew declared an interest as an owner of residential property from which rental income is received, Committee member of Aghaloo Gaelic Football Club, member of Aghaloo Credit Union, Vice Chairperson of Branry Area Rural Development Association, Secretary of Branry Comhaltas Ceoltóirí Éireann, sister is an elected representative in Mid Ulster District Council.



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Kellie Armstrong declared an interest as a member of the NILGOSC pension scheme and has a number of family members in receipt of state benefits.

Andy Allen declared an interest as a private landlord and a charity trustee.

Maurice Bradley declared an interest as a trustee and member of the Harry Gregg Foundation, member of the North West Football Association, member of the Coleraine District League, member of Ad Hoc Disciplinary Committee of IFA, soon to be elected on to IFA Council.

Sian Mulholland declared an interest as a member of the NILGOSC pension scheme and family members are member of Naomh Pádraig Ballycastle GGA Club. Member of Ballycastle and Cushendall Credit Union and family members are in receipt of benefits.

Daniel McCrossan declared an interest as a company director, a member of St Colmcilles Gaelic Athletic Association, Urney, and a member of Strabane Credit Union.

Maolísa McHugh declared an interest as a member of Conradh na Gaeilge, Chairman of Naíscoil na Deirge Pre School, member of Naomh Eoghain Caisleán na Deirge, Gaelic Athletic Association, and member of Castlederg Credit Union.

Brian Kingston declared an interest as a director of the Greater Shankill Partnership and Argyle Business Centre, a trustee at North Belfast Working Mens' Club and as a member of the NILGOSC pension scheme.

Ciara Ferguson declared an interest as a member of Strabane Credit Union.

The Chairperson reminded members that advice and guidance is available from the Clerk of Standards.



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### **4. Committee Guidance and Procedures**

The Committee noted the following items on guidance and procedures:

- A Guide to the Powers and Operation of Statutory Committees for Chairpersons and Members
- A Guide to the role of the Committee Chairperson
- A Guide for Members on the Role and Functions of the Committee Office
- Guidance for handling subordinate legislation

The Chairperson drew members' attention to issues in respect of Privilege and Sub-judice.

The Chairperson informed members that research papers will be automatically published on the assembly website unless the Committee decides otherwise.

*Agreed:* The Committee agreed that Assembly Research papers would be automatically published on the Assembly web site unless the Committee decided otherwise.

### **5. Departmental guidance on timescales for interaction between Assembly Committees and Departments**

The Committee noted the document 'Departmental guidance on timescales for interaction between Assembly Committees and Departments'.

### **6. Departmental Organisation Chart**

Members noted the Departmental Organisation Chart provided by the Department.



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#### **7. Committee approach to dealing with correspondence and requests for meetings which are not linked to strategic priorities or statutory duties**

The Chairperson referred members to a briefing paper from the Clerk in relation to dealing with correspondence.

*Agreed:* The Committee agreed the suggested approach to dealing with correspondence.

#### **8. Sample protocol on conduct and courtesy in Committee meetings**

The Chairperson referred members to a briefing paper from the Clerk in relation to conduct and courtesy in Committee meetings.

*Agreed:* The Committee agreed to adopt this protocol to underpin how it conducts its business.

#### **9. Arrangements for Committee meetings**

The Chairperson referred members to a briefing paper from the Clerk in relation to arrangements for Committee meetings.

The Chairperson informed members that it is his intention that Committee meetings will be held in open session unless there are compelling reasons not to do so.

*Agreed:* The Committee confirmed it was content with the arrangements for future meetings.



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### 10. Subordinate Legislation

The Committee noted a memo from the Clerk in relation to the delegation of technical scrutiny to the Examiner of Statutory Rules.

Question put and agreed:

*“The Committee for Communities resolves, under Standing Order 43 to delegate to the Examiner of Statutory Rules the technical scrutiny of statutory rules referred to the Committee under the above-mentioned Standing Order. The Committee further resolves that in carrying out this function the Examiner shall be authorised to report her technical findings on each statutory rule to the Assembly and to the relevant Department, as well as to the Committee itself and to publish her report.”*

The Committee noted a memo from the Clerk providing a summary of current subordinate legislation falling under the Department for Communities which is subject to assembly procedure.

### 11. Correspondence

The Committee noted a correspondence memo.

The Chairperson drew members' attention to an invitation to attend the Cliff Edge Coalition Roundtable event on behalf of the Committee and informed members he would check diaries and confirm attendance via the Committee team.

The Chairperson emphasised that including stakeholders in the work of the Committee is critical to its success in helping deliver outcomes for a range of sectors under the remit of the department.

The Chairperson also stated that it was important to have a strategic and focussed approach to the Committee's work programme, which will hopefully take shape over the next few weeks as departmental priorities become clear.



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The Chairperson raised the topic of gambling reform and asked if a letter could be sent to the department to ask about the next stage of gambling reform.

*Agreed:* That a letter is sent to the department to ask about the current stage of work on gambling reform and to request an update on the work to include timescales for the introduction of legislation.

### **12. Forward Work Programme**

The Clerk briefed the members on a proposed plan for the Committee to use to work towards the development of its Forward Work Programme.

The Clerk informed members that, following the briefing from the Minister and Permanent Secretary at the meeting on 29 February, the Research Service will provide follow-up topic briefings and associated papers for members. The Department has provisionally agreed for Committee to be briefed by 2 Deputy Secretaries in the weeks following this in relation to each of their areas of responsibility.

The Chairperson asked members if they were content for the Committee team to schedule meetings in line with this draft plan until the Committee holds its Strategic Planning Session.

*Agreed:* The Committee is content for the Committee team to schedule meetings in line with the draft plan proposed.

*The meeting moved into closed session at 10.20am*

*The Committee decided to take Item 14 next, Preliminary Committee Induction.*

### **13. Preliminary Committee Induction**



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The Chairperson invited the Clerk to make a presentation on this item and referred members to a briefing paper entitled '*A Guide to the Powers and Operation of Statutory Committees for Chairpersons and Members*'.

### **14. Oral presentation by the Examiner of Statutory Rules**

The Examiner of Statutory Rules briefed the Committee and answered members' questions on subordinate legislation.

*The meeting resumed in public session at 11.10a.m.*

### **15. Subordinate Legislation**

The Chairperson informed members that the Committee needed to work through a backlog of Statutory Rules (SRs) and that, due to present circumstances, the remaining statutory period for some of the SRs for consideration at the meeting were short.

The Chairperson further informed members that a number of departmental officials were in attendance, should any Members have any questions in relation to these Rules.

The Chairperson welcomed David Tarr, Hayley Ward, Helen Vaughan, Michelle Grills and Nicola Boyle to the meeting.

David Tarr provided the Committee with a short summary on the SRs being considered.

The Chairperson informed the officials that he had a query in relation to SR 2023/93 - The Social Security, Universal Credit and State Pension (Miscellaneous Amendments) Regulations (Northern Ireland) 2023. The Chairperson asked why the Social Security Advisory Committee did not take these regulations on formal reference.





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The officials advised that they would need to check further and come back to members with further information on this query later in the meeting when the Rule was due to be formally considered.

**16. SR 2022/230 - The Social Security (Habitual Residence and Past Presence) (Amendment No. 2) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/230 The Social Security (Habitual Residence and Past Presence) (Amendment No. 2) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**17. SR 2023/80 - The Social Security (Habitual Residence and Past Presence) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/80 - The Social Security (Habitual Residence and Past Presence) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**18. SR 2023/97 - The Social Security (Income and Capital Disregards) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/97 - The Social Security (Income and Capital Disregards) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.



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**19. SR 2023/118 - The Social Security (Infected Blood Capital Disregard) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/118 - The Social Security (Infected Blood Capital Disregard) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**20. SR 2023/184 - The Social Security (Habitual Residence and Past Presence, and Capital Disregards) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/184 - The Social Security (Habitual Residence and Past Presence, and Capital Disregards) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**21. SR 2022/182 - The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/182 - The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule

**22. SR 2022/202 - The Social Security (Amendment) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/202 - The Social Security (Amendment) Regulations (Northern Ireland) 2022 and,



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subject to the Examiner of Statutory Rules Report, has no objection to the rule.”

**23. SR 2022/211 - The Housing Benefit and Universal Credit (Victims of Domestic Abuse and Victims of Modern Slavery) (Amendment) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/211 - The Housing Benefit and Universal Credit (Victims of Domestic Abuse and Victims of Modern Slavery) (Amendment) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**24. SR 2023/31 - The Loans for Mortgage Interest (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/31 - The Loans for Mortgage Interest (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**25. SR 2023/35 - The Social Security Revaluation of Earnings Factors Order (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/35 - The Social Security Revaluation of Earnings Factors Order (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

*The meeting was suspended at 11.28a.m.*

*The meeting resumed at 11.31a.m. with all members present.*



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There was an issue around the numbering of the SRs and the Chairperson informed members that he would have to suspend the meeting to allow for corrections.

*The meeting was suspended at 11.37a.m.*

*The meeting resumed at 11.42 with all members present.*

The Chairperson informed members that as there was still an issue with the numbering of SRs, he would have to further suspend the meeting.

*The meeting was suspended at 11.45a.m.*

*The meeting resumed at 12.02p.m. with all members present.*

### **26. SR 2023/67 - The Social Security Benefits (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/67 - The Social Security Benefits (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

### **27. SR 2023/93 - The Social Security, Universal Credit and State Pension (Miscellaneous Amendments) Regulations (Northern Ireland) 2023**

The Chairperson informed members that a decision in relation to this Rule would be deferred until the end of the consideration of the remaining SRs when the Departmental officials were in a position to respond to the Committee's queries in relation to the Rule.



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**28. SR 2023/192 - The Social Security (Widow's Benefit and Retirement Pensions) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/192 - The Social Security (Widow's Benefit and Retirement Pensions) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**29. SR 2022/179 - The Social Fund (Child Funeral Fund) (No. 2) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/179 - The Social Fund (Child Funeral Fund) (No. 2) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**30. SR 2023/85 - The Social Fund Winter Fuel Payment (Temporary Increase) Regulations (Northern Ireland)**

*Agreed:* That the Committee for Communities has considered SR 2023/85 - The Social Fund Winter Fuel Payment (Temporary Increase) Regulations (Northern Ireland) and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**31. SR 2022/222 - The Social Fund (Budgeting Loans) (Applications and Miscellaneous Provisions) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/ 22 - The Social Fund (Budgeting Loans) (Applications and Miscellaneous Provisions) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.



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**32. SR 2023/86 - The Social Fund Maternity and Funeral Expenses (General) and Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/86 - The Social Fund Maternity and Funeral Expenses (General) and Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule."

**33. SR 2023/96 - The Social Security (Budgeting Loans) (Electronic Communications) (Amendment) Order (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/96 - The Social Security (Budgeting Loans) (Electronic Communications) (Amendment) Order (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**34. SR 2023/190 - The Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/190 - The Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.



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**35. SR 2022/194 - The Universal Credit (Transitional Provisions) (Amendment) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/194 - The Universal Credit (Transitional Provisions) (Amendment) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**36. SR 2022/223 - The Universal Credit (Administrative Earnings Threshold) (Amendment) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/223 - The Universal Credit (Administrative Earnings Threshold) (Amendment) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**37. SR 2023/3 - The Universal Credit (Administrative Earnings Threshold) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/3 - The Universal Credit (Administrative Earnings Threshold) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**38. SR 2023/90 - The Universal Credit (Childcare) (Amendment) Regulations (Northern Ireland) 2023**

*Agreed:* That the Committee for Communities has considered SR 2023/90 - The Universal Credit (Childcare) (Amendment) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.





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**39. SR 2024/5 - The Universal Credit (Transitional Provisions) (Amendment) Regulations (Northern Ireland) 2024**

*Agreed:* That the Committee for Communities has considered SR 2024/5 - The Universal Credit (Transitional Provisions) (Amendment) Regulations (Northern Ireland) 2024 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**40. SR 2024/18 - The Universal Credit and Jobseeker's Allowance (Work Search and Work Availability Requirements - limitations) (Amendment) Regulations (Northern Ireland) 2024**

*Agreed:* That the Committee for Communities has considered SR 2024/18 - The Universal Credit and Jobseeker's Allowance (Work Search and Work Availability Requirements - limitations) (Amendment) Regulations (Northern Ireland) 2024 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**41. SR 2022/192 - The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/192 - The Occupational Pension Schemes (Collective Money Purchase Schemes) (Modifications and Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.





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**42. SR 2022/208 - The Occupational and Personal Pension Schemes (Disclosure of Information) (Statements of Benefits: Money Purchase Benefits) (Amendment) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/208 - The Occupational and Personal Pension Schemes (Disclosure of Information) (Statements of Benefits: Money Purchase Benefits) (Amendment) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**43. SR 2022/209 - The Occupational Pension Schemes (Climate Change Governance and Reporting) (Amendment, Modification and Transitional Provision) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/209 - The Occupational Pension Schemes (Climate Change Governance and Reporting) (Amendment, Modification and Transitional Provision) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

**44. SR 2022/210 - The Occupational Pension Schemes (Investment) (Employer related Investments by Master Trusts) (Amendment) Regulations (Northern Ireland) 2022**

*Agreed:* That the Committee for Communities has considered SR 2022/210 - The Occupational Pension Schemes (Investment) (Employer related Investments by Master Trusts) (Amendment) Regulations (Northern Ireland) 2022 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.



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**45. SR 2023/93 - The Social Security, Universal Credit and State Pension (Miscellaneous Amendments) Regulations (Northern Ireland) 2023**

The Chairperson asked the officials if they were in a position to respond to the queries raised by the Committee in relation to the Rule.

The officials advised that the intent behind the amendment in the regulations was to ensure that entitlement under Universal Credit is treated the same way for legacy claimants.

The Committee was content with the response.

*Agreed:* That the Committee for Communities has considered SR 2023/93 - The Social Security, Universal Credit and State Pension (Miscellaneous Amendments) Regulations (Northern Ireland) 2023 and, subject to the Examiner of Statutory Rules Report, has no objection to the rule.

The Chairperson thanked the officials for attending the meeting to assist with the consideration of the SRs.

The Chairperson informed members that the same process will be followed for the next two meetings until the backlog of SRs has been addressed.

**46. Any other business**

There was no other business.

The meeting was adjourned at 12.17p.m.

**Colm Gildernew MLA**

**Deputy Chairperson, Committee for Communities**