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Our ref: SUB 0660-2026
Date: 12 October 2026

Ms Emer Boyle
Communities Committee Clerk
Room 430
Parliament Buildings
Ballymiscaw
Stormont
Belfast
BT4 3XX

Dear Emer,

SL1: THE DISCRETIONARY SUPPORT (AMENDMENT) (FUEL AS A GRANT) REGULATIONS (NORTHERN IRELAND) 2026

Dear Emer,

The Department for Communities proposes to make a Statutory Rule under powers conferred by article 135 of the Welfare Reform (Northern Ireland) Order 2015.

Purpose of the Statutory Rule

The purpose of this Statutory Rule is to remove the exclusion from Discretionary Support legislation that prevents awards for fuel consumption from being made as a grant.

To implement this amendment, the Statutory Rule will omit paragraph 19 of Schedule 2 to the Discretionary Support Regulations (Northern Ireland) 2016. No other amendments to the current regulations are necessary.

Detail

The Discretionary Support scheme provides emergency, interest-free loans or non-repayable grants to people in a crisis or who are facing extreme, exceptional situations. It helps with immediate living expenses, basic household items, or rent-in-advance for those with low incomes, subject to income thresholds and debt limits.

Currently, support with the cost of fuel consumption can only be provided as a loan with a specific statutory exclusion on the award of a grant for fuel consumption. The proposed Statutory Rule will remove this exclusion and allow grants to be awarded to assist with household fuel costs. Such awards will be categorised as 'living expenses' and will be subject to existing statutory provisions relating to entitlement.

The support available for different fuel types will continue to be based on typical household consumption and current fuel costs. The existing decision-making framework, which aims to provide a consistent method for determining awards, while recognising the different ways fuel is purchased and used, will also apply.

This legislative amendment has been prioritised as part of a package of support to ease the financial pressure on low-income households struggling to heat their homes because of the increases in energy prices.

Timing and Procedure

The Discretionary Support (Amendment) (Fuel as a Grant) Regulations (Northern Ireland) 2026 are subject to the draft affirmative resolution, meaning they must be affirmed by a resolution of the Assembly before coming into operation. It is anticipated that the Department will make the regulations no later than 11 December 2026 and they will come into operation on 4 January 2027.

Financial Implications

There is no robust means to estimate the funding required for this amendment. However, existing statutory provisions enable the Department to take the allocated budget into account

when making any award; in effect, this allows future awards to be restricted where there is insufficient budget available.

At this stage, there is no requirement for the allocation of additional funding to support this change.

Compliance with Section 24 of the Northern Ireland Act 1998

The Department is content that the Statutory Rule complies with section 24 of the Northern Ireland Act 1998 (convention rights etc.).

Consideration by the Executive

A package of measures to ease the pressure with cost of home heating oil, was presented to, and approved by, the NI Executive on 16 April 2026. This included a commitment to expand the Discretionary Support Scheme to allow grant awards for household fuel consumption.

Equality Impact

In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department has conducted a screening exercise of this legislative proposal. The Department has concluded that the amendment would not have any significant implications for equality of opportunity or good relations and considers that an Equality Impact Assessment is not necessary.

Regulatory Impact

A Regulatory Impact Assessment has not been prepared for this Rule as it has minimal impact on business, charities, social economy enterprises, or voluntary bodies.

Rural Needs Impact

A Rural Needs Impact screening has been undertaken for this Statutory Rule, and the Department is satisfied that the Rule will not have any undue impact on rural communities. No negative impacts have been identified, and no mitigation measures are necessary.

Data Protection Impact

A Data Protection Impact Assessment screening has been undertaken for this Statutory Rule, and the Department is satisfied that there are no causes for concern with regards to the protection of the Department or the public's data.

Child Rights Impact

A Child Rights Impact Assessment has not been deemed necessary for this Statutory Rule.

Position in GB

This Statutory Rule applies to Northern Ireland only, as Discretionary Support is a Northern Ireland specific scheme, and is not available in GB.

A copy of the Rule, together with the Explanatory Memorandum is attached for the information of the Committee. The Rule will also be laid at the Assembly Business Office, who will submit copies to the Committee.

You will wish to bring this matter to the attention of the Communities Committee.

Yours sincerely,

Laura Coffey
Departmental Assembly Liaison Officer
Private Office