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Colm Gildernew MLA
Chairperson, Committee for Communities
Room 430
Parliament Buildings
Belfast
BT4 3XX

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

Dear Colm,

I am writing to you in accordance with the Guidance for Departments on Delegated Legislation to request that the Committee consider the SL1 for the Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2026 in a shortened timeframe.

The proposed Statutory Rule will make several amendments to social security legislation in Northern Ireland. The amendments correspond to provisions being brought forward by DWP in the Social Security (Miscellaneous Amendments) Regulations 2026 and are intended to maintain parity with the social security framework in GB.

The Statutory Rule contains mainly technical, clarificatory and protective measures, including provisions to:

- Clarify the treatment of Mileage Allowance Relief in Universal Credit;
- Protect certain Universal Credit claimants with transitional protection where carer and health-related elements interact;

- Disregard payments made under the Republic of Ireland Mother and Baby Institutions Payment Scheme for income-related benefit purposes and exempt those payments from the compensation recovery regime;
- Clarify a Pension Credit temporary absence abroad drafting omission;
- Align Pension Credit fraud overpayment recovery provisions with existing policy intent and operational practice; and
- Clarify Personal Independence Payment transitional provisions where good reason is accepted following a negative determination during the Disability Living Allowance to Personal Independence Payment transfer process.

The GB Regulations are expected to be made and laid on 7 October 2026 and will come into force on 30 October 2026.

The Department recognises the importance of the Committee having sufficient time to scrutinise proposed subordinate legislation and the expectation under the revised SL1 process that the Committee should receive the SL1, draft Statutory Rule and Explanatory Memorandum in advance of formal consideration.

However, the timing of this Statutory Rule is dependent on DWP making and laying the corresponding GB Statutory Instrument. The Committee is therefore being asked to consider the SL1 in a shortened timeframe, as the Statutory Rule must be made by 9 October to adhere to the 21-day rule and ensure that it comes into operation on 30 October to align with the corresponding DWP Statutory Instrument.

I am satisfied that ensuring the orderly making of this parity legislation in line with DWP timeframes gives rise to exceptional circumstances which require deviation from the normal process and timeframes set out in the Guidance.

I would be grateful if the Committee would agree to consider the SL1 in the requested shortened timeframe in light of these exceptional circumstances.

Yours sincerely

GORDON LYONS MLA

Minister for Communities