

MEMORANDUM

THE UNIVERSAL CREDIT AND PERSONAL INDEPENDENCE PAYMENT BILL

Background

1. This memorandum has been laid before the Assembly by the Minister for Communities under Standing Order 42A(4)(b).
2. Standing Order 42A - Legislative Consent Motions, details the procedure for seeking the agreement of the Assembly to the United Kingdom Parliament considering provisions of a Bill which deals with a devolution matter. Paragraph (2) of Standing Order 42A prescribes that a legislative consent memorandum shall be laid in respect of any devolution matter for which a legislative consent motion is proposed. Under paragraph (4) of Standing Order 42A, the Minister whom the devolution matter concerns shall, normally not later than 10 working days after the relevant day, either —
 - a. lay a legislative consent memorandum before the Assembly, or
 - b. lay a memorandum before the Assembly explaining why a legislative consent motion is not sought.
3. The purpose of this Memorandum is to update members on the introduction of the Universal Credit and Personal Independence Payment Bill (‘the

Bill’), highlight the relevant Northern Ireland related provisions, and explain why a Legislative Consent Motion is not sought.

Summary of the relevant parts of the Bill and its policy objectives

4. The Bill, as introduced, makes provisions to alter or freeze the rates of Universal Credit (UC) and related benefits and will also amend the Personal Independence Payment (PIP) eligibility criteria.
5. The Secretary of State for Work and Pensions made a statement in the House of Commons on 30 June 2025 advising that changes would be made to the Bill, which would protect existing claimants to UC and PIP from the proposed changes. The statement can be viewed at <https://questions-statements.parliament.uk/written-statements/detail/2025-06-30/hcws755>.
6. The first changes to the rate of UC specified within the Bill are planned to have effect from April 2026, subject to parliamentary approval. Changes to the PIP eligibility criteria are planned to have effect from November 2026, also subject to parliamentary approval. There are provisions in the Bill, proposed to extend to Northern Ireland to replicate the changes here, that engage the Legislative Consent Motion process.
7. Sir Stephen Timms MP, Minister for Social Security and Disability at the Department for Work and Pensions, wrote to me on 29 April asking me to proceed to seek a Legislative Consent Motion to support the inclusion in the Bill of parity Northern Ireland welfare reform measures.
8. The measures under the Bill were announced by the Secretary of State for Work and Pensions on 18 March 2025 and by the Chancellor of the

Exchequer in her Spring Statement on 26 March 2025. The detailed rationale for these changes is set out in the “Pathways to Work: Reforming Benefits and Support to Get Britain Working” Green Paper.

9. The latest version of the Bill can be found at:

<https://bills.parliament.uk/bills/3988>

Provisions which deal with a Devolution Matter

10. Although social security is a devolved matter, in general Northern Ireland’s social security policy and legislation operate in line with corresponding provision in Great Britain as provided for at section 87 of the Northern Ireland Act 1998. In effect there is a single social security system across the UK.
11. Clause 6 and Schedule 2 to the Bill as introduced make corresponding provision in respect of Northern Ireland to that established under the Bill for GB. Some provisions of the Bill as introduced, relating to PIP, confer powers on the Department to make subordinate legislation (commencement and transitional and saving provision) equivalent to powers conferred on the Secretary of State.
12. At Second Reading of the Bill on 1 July the Government gave a commitment to remove Clause 5 which makes provision for the changes to PIP. This change would also have the effect of removing the corresponding provision for Northern Ireland in Schedule 2.

Reasons for not seeking a Legislative Consent Motion

13. The Executive has made clear its collective opposition to the proposed welfare changes under the Bill and has written to the Prime Minister to

convey these concerns. Because of this, and because of the significant financial implications should Northern Ireland not maintain parity with the proposed measures under the Bill, I engaged with my Executive Colleagues on foot of the request that I proceed to seek a Legislative Consent Motion. There was no consensus to support the progression of a parity Executive Bill or to agree to the requested Legislative Consent Motion process, and I advised Minister Timms of this on 17 June 2025.

Engagement to date with the Committee for Communities

14. The Committee is aware of the proposed welfare changes and will be briefed in due course ahead of the implementation of any changes to UC and PIP in Northern Ireland.

Conclusion

15. It is my view that it is not possible to bring forward a Legislative Consent Motion as there is no Executive consensus on the matter.

Minister for Communities

Date: 4 July 2025