
EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulations 2 to 8 of these Regulations amend respectively the Income Support (General) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 459), the Jobseeker's Allowance Regulations (Northern Ireland) 1996 (S.R. 1996 No. 198), the State Pension Credit Regulations (Northern Ireland) 2003 (S.R. 2003 No. 28), the Housing Benefit Regulations (Northern Ireland) 2006 (S.R. 2006 No. 405), the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 (S.R. 2006 No. 406), the Employment and Support Allowance Regulations (Northern Ireland) 2008 (S.R. 2008 No. 280) and the Universal Credit Regulations (Northern Ireland) 2016 (S.R. 2016 No. 216).

In particular, those amendments provide that payments made to a benefit recipient from a scheme established or approved by the Secretary of State to provide compensation in respect of historical child abuse in the United Kingdom; or under the Windrush Compensation (Expenditure) Act 2020 (c. 8) ("the Windrush Act"), are to be disregarded as income and capital and therefore, not taken into account for the purposes of calculating entitlement to the benefits referred to above.

Regulations 9 and 10 amend respectively the Social Security (Recovery of Benefits) Regulations (Northern Ireland) 1997 (S.R. 1997 No. 429) and the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations (Northern Ireland) 2008 (S.R. 2008 No. 355) to ensure that the payments made under the Windrush Act referred to above are not to be regarded as compensation payments for the purposes of those regulations.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

A full impact assessment has not been produced for these Regulations as no, or no significant, impact on the private, public or voluntary sectors is foreseen.