

## EXPLANATORY MEMORANDUM TO

### THE UNIVERSAL CREDIT (PERSONS REQUIRED TO PROVIDE INFORMATION, MISCELLANEOUS AMENDMENTS AND SAVING AND TRANSITIONAL PROVISION) REGULATIONS (NORTHERN IRELAND) 2018

2018 No. 92

#### 1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Department for Communities on behalf of the Department for Work and Pensions and is laid before Parliament by Command of Her Majesty.

#### 2. Purpose of the instrument

- 2.1 This instrument makes amendments to various pieces of legislation governing the operation of Universal Credit and its interaction with other benefits. The reasons for the amendments include the need to make changes to support the delivery of Universal Credit, to introduce changes that were announced as part of the Autumn Budget 2017<sup>1</sup> and the Secretary of State for Work and Pensions' oral statement the following day<sup>2</sup> and to ensure the legislation reflects the intended policy. These regulations bring Northern Ireland legislation into parity with legislation in Great Britain.
- 2.2 The instrument also makes amendments for Northern Ireland corresponding to [the Social Security \(Persons Required to Provide Information\) Regulations 2013 \(S.I. 2013/1510\)](#) which came into force on 1 October 2013 and for the changes brought about for Housing Benefit only in the equivalent Great Britain [Universal Credit \(Transitional Provisions\) and Housing Benefit \(Amendment\) Regulations 2013 \(S.I. 2013/2070\)](#) which came into force on 28 October 2013.

#### 3. Matters of special interest to Parliament

##### *Matters of special interest to the Joint Committee on Statutory Instruments*

- 3.1 None.

##### *Other matters of interest to the House of Commons*

- 3.2 As this instrument is subject to negative resolution procedure consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

#### 4. Legislative Context

- 4.1 Section 87 of the [Northern Ireland Act 1998](#) ("the 1998 Act") places a statutory duty on the Minister for Communities and the Secretary of State for Work and Pensions to consult with one another with a view to securing a single social security system for the United Kingdom. Section 88 of the 1998 Act makes provision for financial adjustments to support the maintenance of these parity arrangements.

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<sup>1</sup> [Financial Statement - Hansard Online](#)

<sup>2</sup> <https://hansard.parliament.uk/Commons/2017-11-23/debates/36EF5FEE-7FB1-4841-A242-7625ED73FCA0/UniversalCredit#contribution-9D99F17A-3B9D-4DEE-96C5-07136C7CC394>

- 4.2 Underpinning the parity principle is the argument that, as people in Northern Ireland pay the same rates of income tax and National Insurance contributions as people in Great Britain, they are entitled to the same rights and benefits paid at the same rate.
- 4.3 The [Welfare Reform Act 2012](#) (“the 2012 Act”) introduced a number of reforms which included the introduction of Universal Credit, Personal Independence Payment and a cap on the amount of benefits working age people can receive. This was to restrict the total amount of money a non-working household can receive to broadly the level of the average earned income of working households after tax and National Insurance contributions are deducted.
- 4.4 The [Welfare Reform and Work Act 2016](#) (“the 2016 Act”) provided for the introduction of further reforms in Great Britain, including tiered reductions to the level of the benefit cap depending on where in Great Britain claimants lived, changes to the child element of Universal Credit and Child Tax Credits and the removal of the work-related activity component in Employment and Support Allowance and the Limited Capability for Work element in Universal Credit.
- 4.5 On 17 November 2015 “[A Fresh Start: The Stormont Agreement and Implementation Plan](#)” was agreed by the main political parties in Northern Ireland. Included in this agreement was the approach agreed by the Executive and HM Government to implementing welfare reform in Northern Ireland. The [Northern Ireland \(Welfare Reform\) Act 2015](#) provides a power for Her Majesty to legislate on social security, child support and certain matters related to employment and training in Northern Ireland by Order in Council. Any such Order in Council may then confer power on the Secretary of State or a Northern Ireland department to make further provision regarding these matters by regulations or order. The [Welfare Reform \(Northern Ireland\) Order 2015](#) (“the 2015 Order”) was made on 9 December 2015 making provision corresponding to the 2012 Act. [The Welfare Reform and Work \(Northern Ireland\) Order 2016](#) (“the 2016 Order”) was made on 12 October 2016 making provision corresponding to the social security provisions of the 2016 Act, and regulations stemming from the 2016 Order are now being brought forward.
- 4.6 As set out in the Explanatory Note, this instrument makes changes to a number of existing statutory instruments relating to Universal Credit and related benefits, as follows:
- [The Discretionary Financial Assistance Regulations \(Northern Ireland\) 2001 \(S.R. 2001 No. 216\)](#)
  - [The Housing Benefit Regulations \(Northern Ireland\) 2006 \(S.R. 2006 No. 405\) \(“the Housing Benefit Regulations”\)](#)
  - [The Housing Benefit \(Persons who have attained the qualifying age for state pension Credit\) Regulations \(Northern Ireland\) 2006 \(S.R. 2006 No. 406\) \(“the Housing Benefit SPC Regulations”\)](#)
  - [The Universal Credit Regulations \(Northern Ireland\) 2016 \(S.R. 2016 No. 216\) \(“the Universal Credit Regulations”\)](#)
  - [The Jobseeker’s Allowance Regulations \(Northern Ireland\) 2016 \(S.R. 2016 No. 218\)](#)
  - [The Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance \(Decisions and Appeals\)](#)

[Regulations 2016 \(S.R. 2016 No. 221\)](#) (“the Decisions and Appeals Regulations”)

- [The Universal Credit \(Transitional Provisions\) Regulations 2016 \(S.R. 2016 No. 226\)](#) (“the Transitional Regulations”).

## 5. Extent and Territorial Application

- 5.1 The extent of this instrument is Northern Ireland.
- 5.2 The territorial application of this instrument is Northern Ireland.

## 6. European Convention on Human Rights

- 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation no statement is required.

## 7. Policy background

### *What is being done and why*

- 7.1 The instrument prescribes additional categories of persons who are required to provide information to persons who are authorised by the Department for Communities for Northern Ireland to investigate benefit offences under the [Social Security Administration \(Northern Ireland\) Act 1992 \(c.8\)](#) (“the Act”). The reason for the delay in making these provisions was because the regulations for the Rate Relief scheme in Northern Ireland needed to be made. These related to Universal Credit commencing in Northern Ireland which itself was delayed due to the reasons outlined in paragraph 4.5. This instrument also makes a number of changes to existing Universal Credit and related regulations, some of which were announced in the Autumn Budget 2017 on 22nd November 2017 and the Secretary of State for Work and Pensions’ oral statement the following day. There are also changes to Housing Benefit which were implemented in Great Britain in 2013 and which are now being implemented in Northern Ireland to maintain parity.
- 7.2 Other measures are changes, some of which are very technical by nature, which have been highlighted as part of the learning process of Universal Credit and will ensure the legislation reflects the intended policy. The policies contained in this instrument are:  
**Persons required to provide information**
- 7.3 The Government announced its strategy to tackle fraud and error in the benefit system in the paper Tackling Fraud and Error in the Benefit and Tax Credit Systems.
- 7.4 A White Paper entitled ‘[Universal Credit Welfare that Works](#)’ was published by the Government on 11th November 2010. Chapter 5 confirmed the Government planned to introduce a tougher penalties regime.
- 7.5 One of the functions critical to the prosecution of benefit offences is the capability to obtain information in respect of benefit claims to prove or disprove fraud.
- 7.6 Section 103B(2) and (2A) of the Act empowers the Department for Communities’ authorised officers to obtain information from certain categories of persons for the purposes of preventing, detecting and securing evidence of benefit offences (typically, categories of person would include employers, self-employed earners, banks, and Credit reference agencies, etc.).

- 7.7 The 2015 Order, as part of the Welfare Reform programme, introduces Universal Credit and provides for the abolition of Housing Benefit and Child Tax Credits. The changes require a solution for investigating benefit offences across the totality of welfare provision in the new and old systems. An amendment to section 103B(2) by Article 112 of the 2015 Order enables investigating officers to cover the wider scope of Universal Credit, in particular the components for childcare and housing costs. Categories of persons impacted by the amendments in this instrument include-
- child care providers
  - persons who determine housing costs for Universal Credit
  - landlords
  - officers of the Department for Finance administering Rates Relief.
- 7.8 Authorised officers obtain information about rent and rates for the purposes of Housing Benefit investigations under section 116D of the Act. The intention is they will be able to obtain similar information under this instrument for the purposes of Universal Credit. As Universal Credit will replace Child Tax Credits, authorised officers need legislative authority to require child care providers to give the Department for Communities information given presently to HMRC
- 7.9 The instrument allows information to be obtained from those providing “relevant childcare” as defined for the purpose of the Universal Credit Regulations. They further allow information to be obtained from landlords and persons who determine housing costs for Universal Credit and in that regard they are similar to the provisions for Housing Benefit in regulations 106 to 110 of the Housing Benefit Regulations. With the abolition of Housing Benefit, rates relief for owner occupiers also ceases to be a social security benefit and as a consequence falls out of the scope of section 116D of the Act as the means by which authorised officers can obtain information. These regulations will reinstate the position to allow authorised officers to obtain information under the replacement rate relief scheme for owner occupiers.
- 7.10 Obligations on information providers are not expected to increase. They will be providing information about child care provision to the Department rather than, as was required, to HMRC or providing information that was provided for housing benefit for the purposes of Universal Credit

#### **Removal of Waiting Days**

- 7.11 This instrument amends provisions in the Universal Credit Regulations and the Transitional Regulations to remove the requirement to wait seven days before entitlement to Universal Credit arises. This measure was announced in the Autumn Budget 2017 in order to reduce the time taken before claimants receive their first Universal Credit payment.

#### **Transition to Universal Credit Housing Payment**

- 7.12 This instrument amends various provisions in the Transitional Regulations to allow payment of Housing Benefit to continue for two weeks after a claim for Universal Credit has been made, without it affecting a claimant’s Universal Credit entitlement. This will allow claimants already receiving support towards their housing costs to receive an additional payment of two weeks Housing Benefit as they transition to Universal Credit. Announced as a Budget measure, this will help support those most vulnerable to avoid accruing rent arrears whilst awaiting their first Universal Credit payment.

### **Assessment Period Adjustment**

- 7.13 When a claimant makes a claim for Universal Credit, their monthly assessment period cycle is set from their first date of entitlement for the entire duration of their award. For some people, however, the first date of entitlement may change, for example because the decision on their award has been revised. Currently this means recalculating the award for the whole period, and this can cause difficulty, disruption or some other disadvantage to the claimant or in the administration of their claim. To resolve this, the instrument amends regulation 22 of the Universal Credit Regulations to make provision for the length of the first assessment period to be adjusted as appropriate (to be more or less than one month) so that subsequent assessment periods remain as previously fixed.
- 7.14 This change is an administrative easement that allows the Department to adjust a claimant's entitlement to Universal Credit at the start of a claim where it is subsequently decided that entitlement should start from an earlier date. This allows for payment without resetting all subsequent assessment periods and recalculating awards paid in respect of subsequent assessment periods, which may be administratively difficult and cause confusion for claimants.
- 7.15 To give an example, if a claimant made a claim to Universal Credit on 9th October 2018, their assessment periods will run from the 9th to the 8th of each month. If it is subsequently decided that the claim should have been taken to start from an earlier date, for example 2nd October 2018, instead of amending each assessment period to run from 2nd to 1st of each month (and recalculating all of the awards already paid to the claimant), this amendment allows the Department to treat the period from the 2nd to the 8th October as the first assessment period and to pay the claimant their entitlement for this period accordingly. This will leave all subsequent assessment periods to run from 9th to the 8th of each subsequent month as previously set, therefore not disrupting any payments to the claimant.

### **Surplus-earnings**

- 7.16 This instrument makes a number of changes to surplus-earnings provisions. Those provisions smooth the peaks and troughs of losses and earnings so that a fairer assessment as to Universal Credit entitlement is made over a period of time, longer than one month. This has, however, proved difficult to operate and simplification is required.
- 7.17 The current provision provides that the carrying forward of surplus earnings will apply to both employed and self-employed claimants. Where there is an increase in earnings that means Universal Credit is lost, the amount of that increase over the "relevant threshold" (which includes a de minimis of £300, but see below) will be taken into account and applied to future Universal Credit awards, for a maximum of 6 assessment periods. This ensures that those with fluctuating earning patterns are not unduly penalised or unfairly rewarded by receiving less or more Universal Credit than they would if they earned the same amount but were paid monthly. It also reduces the risk of claimants manipulating payment patterns to receive bigger payments of Universal Credit.
- 7.18 This instrument will also change the way that surplus earnings are applied when people reclaim Universal Credit within 6 months. Instead of taking account of earnings over the whole period off Universal Credit, only earnings in the month where people make a claim will be counted. Where couples separate there will be more scope for flexibility in the way the surplus is apportioned. These changes will also increase the de minimis

from £300 to £2500 until 31 March 2019 (which may be extended by the Department). This will assist the smooth implementation by reducing the numbers affected in the early stages.

- 7.19 Currently, self-employed claimants may carry forward a loss from one assessment period into the next, for up to 11 assessment periods. This instrument will allow more losses for self-employed claimants to be taken into account by removing the limit of 11 assessment periods. Losses from a previous award can still be taken into account where the break is no longer than 6 months (but not the losses from the period of Universal Credit).

#### **National Insurance contributions when calculating self-employed earnings**

- 7.20 This instrument amends regulation 57(2) of the Universal Credit Regulations which deals with the deduction of income tax and National Insurance (NI) contributions in the calculation of self-employed earnings. In anticipation of the abolition of Class 2 NI contributions and reform of Class 4 NI contributions, a general reference to NI contributions is substituted to cover both the current and the future positions, so that all relevant NI contributions paid in an assessment period can be deducted.

#### **Students claiming Universal Credit**

- 7.21 This instrument amends regulation 88 of the Universal Credit Regulations in relation to a claimant who is receiving education and who is entitled to Universal Credit because they are a member of a couple. Such claimants will not be subject to work-related requirements if they have student income taken into account in the calculation of their Universal Credit award. The change will provide consistency with the way in which conditionality is applied to other students who are in receipt of student income on Universal Credit. Without this amendment some claimants who are part of a couple may be subject to work related requirements, which would conflict with their academic commitments.

#### **Work Search and Work Availability requirements**

- 7.22 At present, a claimant who is unwell for up to two periods of fourteen days in a rolling 12 month period is not required to meet work search and work availability requirements while they are unwell.
- 7.23 This instrument amends regulation 97 of the Universal Credit Regulations (and makes equivalent amendments to regulation 16 of the Jobseeker's Allowance Regulations 2016) to prevent work search and work availability requirements being automatically switched off for illness in certain circumstances. The amendments apply to claimants who have undergone a work capability assessment and been found not to have limited capability for work, and to claimants who have failed to attend a medical examination or comply with a request for information and are treated as not having limited capability for work. In other words, claimants who are, or are treated as being, fit for work. Where such claimants produce further evidence that they are unfit for work and the condition mentioned in the evidence is the same, or substantially the same, as the condition for which they were assessed in the work capability assessment, regulations will continue to allow for work search and work availability requirements to be switched off only if it would be unreasonable for a claimant to comply with such requirements.

- 7.24 If such a claimant has not been referred for another assessment, regulations will continue to allow for work search and work availability requirements to be switched off if it would be unreasonable for a claimant to comply with such requirements.

#### **Housing costs: ex-service personnel**

- 7.25 Currently claimants aged 18-21 years are not generally entitled to the housing element of Universal Credit. This instrument amends paragraph 4(B)(1)(b) of Schedule 4 to the Universal Credit Regulations to add claimants who receive Armed Forces Independence Payment (which is included in the definition of Attendance Allowance in regulation 2(1) of the Universal Credit Regulations) to the list of exemptions for vulnerable groups, so that such claimants can be awarded the housing element.

#### **Providing evidence to verify advantageous changes in circumstances**

- 7.26 This instrument amends regulation 33 of the Decisions and Appeals regulations to reduce the number of days within which a claimant is required to supply information and evidence in relation to a change of circumstances that would result in an increase in benefit, from one month to 14 days.
- 7.27 This is an opportunity to formalise the procedure, to align the rules with requirements for reporting changes that would result in a decrease in benefit (which already stand at 14 days) and to provide a service that is more responsive to claimants' needs. This change will mean that a claimant is more likely to be able to benefit from an increase in benefit at a time it is required rather than a month later, and reduces the need to revise decisions and pay arrears of benefit.
- 7.28 Where the claimant cannot access information or evidence or would have problems supplying it to the Department, we can still have discretion to allow a longer period for supplying the information and claimants will not be penalised. However with a digital service, 14 days is considered sufficient time in order to meet this reduced deadline.

#### **The date from which legislative changes take effect for existing awards of Universal Credit**

- 7.29 This instrument amends Schedule 1 to the Decisions and Appeals Regulations to create a new default date for new legislative provisions to come into effect for Universal Credit. The amendment provides that the default date on which any future new legislation will take effect will be the first day of the assessment period on, or immediately after, which, the new legislation comes into force. For example, if a new Statutory Rule (SR) comes into force on 4th April it will affect a claimant from the start of their first whole assessment period on or after 4th April. There will be no need to pay one month's benefit partly under old rules and partly under new rules.
- 7.30 The change will establish a clear rule for regulatory change and minimise the complexity associated with planning and implementing legislative change.

#### **Tax Credits**

- 7.31 This instrument amends regulation 9 of the Transitional Regulations to ensure that where a tax credit claimant makes a declaration under section 17 of the Tax Credits Act 2002 (c. 21) (either by the date specified in a final notice from HMRC, within 30 days after their tax Credits payments have stopped or by 31st January in the following tax

year and has good reason for not making the declaration earlier), the claimant will be treated as entitled to a tax credit with effect from the start of the tax year.

### **Unearned income**

- 7.32 This instrument amends regulation 66 of the Universal Credit Regulations to allow for foreign state pension income and pension protection fund payments to be taken into account as unearned income in the Universal Credit assessment. These payments are similar to the State Retirement Pension (“SRP”) and personal and occupational pensions. It also amends regulation 66(1)(a) of the Universal Credit regulations to take SRP into account in the Universal Credit assessment net of any deductions for overlapping benefits in the same way as other unearned state benefits are taken into account net of overlapping benefit deductions.

### **Emergency funds**

- 7.33 This instrument amends regulation 76 of the Universal Credit Regulations to ensure payments made by the We Love Manchester Emergency Fund and London Emergencies Trust are fully disregarded for the purpose of calculating entitlement to Universal Credit.

### **Temporary Accommodation**

- 7.34 The Northern Ireland Housing Executive (“NIHE”) has a duty to house certain homeless people. It is common practice to house people in temporary accommodation while a permanent housing solution is sought. As Universal Credit is assessed and paid monthly based on the circumstances at the end of the assessment period, this could lead to the NIHE experiencing a funding shortage in certain circumstances; for example, a move into and then out of temporary accommodation in the middle of an assessment period will not be recognised in a claimant’s Universal Credit entitlement.
- 7.35 This instrument provides that Universal Credit claimants cannot get the housing cost element whilst living in temporary accommodation and will instead be able to claim Housing Benefit for their temporary accommodation rent liability. By allowing Housing Benefit to be paid, this change reinstates the previous process which ensures that funding for temporary accommodation is based on usage rather than where it falls in the Universal Credit assessment period. Claimants will retain an underlying entitlement to the housing cost element during the transition from Universal Credit to Housing Benefit to ensure they remain eligible to claim Discretionary Housing Payments should they require additional assistance.
- 7.36 This change will result in those who move in and out of temporary accommodation within an assessment period receiving more help towards their housing costs as, under current arrangements, these outgoings would not be recognised. Most other claimants in temporary accommodation are likely to receive a higher level of benefit, as Housing Benefit is not restricted in temporary accommodation cases whereas in Universal Credit the Local Housing Allowance cap applies.
- 7.37 Except in those cases where the claimant moves on the last day of their assessment period, someone with a housing liability in Universal Credit who moves to temporary accommodation will lose up to one month’s housing element at the point of transition. It is for this reason that the transitional provisions have been amended to allow for Discretionary Housing Payments in such cases.

- 7.38 To give an example: George receives the housing element in Universal Credit and his assessment period runs from the 1st to the 31st of the month. His tenancy ends on the 15th of the month and the NIHE place him in temporary accommodation. Currently George would receive one month's rent at the appropriate local housing allowance rate for that assessment period.
- 7.39 Under the new arrangements, Universal Credit housing costs would be switched off for that month as George has entered temporary accommodation. Housing Benefit would be payable from the 15th onwards so the claimant receives no support with housing costs for the Private Tenancy from 1st to 15th of the month. By allowing an underlying entitlement to Universal Credit, George is able to seek a Discretionary Housing Payment, should one be required, for support with this period.
- 7.40 However, George moves out of temporary accommodation and into mainstream accommodation on the 15th day of the following month. He would receive Housing Benefit for the first 15 days and then, at the end of that month, would receive a whole month's rent even though he has lived at his new address for only two weeks. The Housing Benefit received in that period would not be taken into account in the Universal Credit assessment.

### **Work Allowances**

- 7.41 This instrument amends regulation 23 of the Universal Credit Regulations in order to uprate the work allowances. Work allowances are the amount of money that people can earn before their benefit is affected. The work allowances are being uprated by the CPI rate of 3% rounded to the nearest pound. This change will reinforce the message that it pays to work by allowing claimants to keep more of their earnings before Universal Credit starts to taper their earnings. The higher work allowance will be set at £409 and the lower work allowance will be set at £198.

### **Housing Benefit Amendments**

- 7.42 The instrument amends the Housing Benefit Regulations to ensure that they take account of the possibility that a claimant who is entitled to Universal Credit is also entitled to Housing Benefit in respect of specified accommodation.
- 7.43 The instrument amends regulation 7(6) of the Housing Benefit Regulations to provide for the case where a person in fear of domestic violence is living temporarily in accommodation that qualifies as specified accommodation but intends to return to their usual home. It allows for them to claim Housing Benefit in respect of the specified accommodation and to continue to receive the Housing Element of Universal Credit in respect of their usual home.
- 7.44 Regulation 53(2) of the Housing Benefit Regulations is amended to ensure that a student who is a Universal Credit claimant and who is living in specified accommodation can receive help with their rent through Housing Benefit, unless they are receiving the Universal Credit housing element in respect of other accommodation.
- 7.45 Regulation 81(5) of the Housing Benefit Regulations is amended to ensure that those Universal Credit claimants whose home is specified accommodation are able to receive help with their housing costs through Housing Benefit from the same date as they are awarded Universal Credit, provided that the claim for Housing Benefit is made within one month of the date that the claim for Universal Credit was made.

- 7.46 The instrument also amends the Housing Benefit Regulations to ensure that Universal Credit claimants have their earnings, income other than earnings and their capital, respectively, disregarded in the calculation of their Housing Benefit. This mirrors existing provisions for the income related benefits and will only affect those whose home is specified accommodation.
- 7.47 Amendments are also made to the Housing Benefit Regulations and the Housing Benefit (SPC) Regulations to ensure that any person who has reached state pension age and is on Universal Credit or has a partner on Universal Credit is subject to the Housing Benefit Regulations rather than the Housing Benefit (SPC) Regulations.

### *Consolidation*

- 7.48 This instrument will be informally consolidated in the Law Relating to Social Security Northern Ireland (or “Blue Volumes”). It will be available to the public at no cost via the internet at: <https://www.communities-ni.gov.uk/services/law-relating-social-security>.

## **8. Consultation outcome**

- 8.1 This measure has not been subject to public consultation.

## **9. Guidance**

- 9.1 The appropriate guidance will be amended for staff and Decision Makers in advance of this instrument becoming operational.

## **10. Impact**

- 10.1 There is no impact on business, and there will be a beneficial impact on charities or voluntary bodies providing temporary accommodation, as rental liability will be met from Housing Benefit; there may be minor impact on charities or voluntary bodies as they update their advice or guidance.
- 10.2 This instrument will potentially have a positive impact on the public sector insofar as the provisions on Housing benefit will ensure that funding for temporary accommodation better reflects actual rental liability for that accommodation. There are no identified implementation costs of this measure for the NIHE. Certainty around rental payments may lead suppliers of temporary accommodation to sustain or increase the accommodation available, and this has the potential for savings by reducing the need to place homeless households in more expensive short-term temporary accommodation, such as Bed & Breakfast facilities.
- 10.3 An Impact Assessment has not been prepared for this instrument but the changes to temporary accommodation is expected to be beneficial for the c. 3,000 households placed in temporary accommodation each year in Northern Ireland.

## **11. Regulating small business**

- 11.1 The legislation does not apply to activities that are undertaken by small businesses.

## **12. Monitoring and review**

- 12.1 The operation of the Regulations will continue to be reviewed through the normal avenues of guidance enquiries received from the Department for Communities’ offices and correspondence from members of the public.

### **13. Contact**

- 13.1 Anne McCleary at the Department for Communities can answer any queries regarding the instrument Telephone: 028 90823332 or email: [anne.mccleary@communities-ni.gov.uk](mailto:anne.mccleary@communities-ni.gov.uk).