
EXPLANATORY NOTE

(This is not part of the Regulations)

These Regulations revoke and re-enact the provisions of the Benefit Cap (Annual Limit) (Amendment No. 2) Regulations (Northern Ireland) 2023 which would otherwise cease to have effect by virtue of Article 102(1A) of the Welfare Reform (Northern Ireland) Order 2015.

These Regulations are made following a review by the Secretary of State under section 96A of the Welfare Reform Act 2012 (c. 5), and amend the sums specified as the annual limit for the purposes of the benefit cap.

Regulation 1 brings these Regulations into operation for all purposes on 21st March 2024 subject to the provisions in regulation 1(3) and (4). The amended annual limits will only apply to an award of universal credit in relation to each assessment period commencing on or after 10th April 2023. For an award of housing benefit in respect of which rent is paid at intervals of a week or multiples thereof, the amended annual limits will only apply from 3rd April 2023.

Regulation 2 amends the annual limit as set out in Article 101(5A) of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006).

Regulation 3 makes a consequential amendment to the Universal Credit Regulations (Northern Ireland) 2016 (S.R. 2016 No. 216) as, in order to calculate and apply the benefit cap, the annual limit is also specified in the secondary legislation.

Regulation 4 makes a consequential amendment to the Housing Benefit Regulations (Northern Ireland) 2006 (S.R. 2006 No. 405) as, in order to calculate and apply the benefit cap, the annual limit is also specified in the secondary legislation.

Regulation 5 revokes the Benefit Cap (Annual Limit) (Amendment No. 2) Regulations (Northern Ireland) 2023 (S.R. 2023 No. 147).

These Regulations make 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 paragraphs 3A and 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8) are not subject to the 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.