

## SCHEDULE

### **Persons not excluded from certain benefits under section 115 of the Immigration and Asylum Act 1999**

#### Part II

*Persons not excluded under section 115 of the Immigration and Asylum Act from entitlement to attendance allowance, severe disablement allowance, invalid care allowance, disability living allowance, a social fund payment or child benefit*

1. A member of a family of a national of a State which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993<sup>(1)</sup>.
2. A person who is lawfully working in Northern Ireland and is a national of a State with which the Community has concluded an agreement under Article 310<sup>(2)</sup> of the Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related Acts<sup>(3)</sup> providing, in the field of social security, for the equal treatment of workers who are nationals of the signatory State and their families.
3. A person who is a member of a family of, and living with, a person specified in paragraph 2.
4. A person who has been given leave to enter, or remain in, the United Kingdom by the Secretary of State upon an undertaking by another person or persons pursuant to the immigration rules within the meaning of the Immigration Act 1971, to be responsible for his maintenance and accommodation.

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<sup>(1)</sup> O.J. No. L1, 3.1.1994, p. 3

<sup>(2)</sup> Article 310 EC (ex Article 238)

<sup>(3)</sup> O.J. No. 340, 10.11.97, p. 1