
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 380

**The Social Security (Habitual Residence)
(Amendment) Regulations (Northern Ireland) 2012**

Amendment of the Employment and Support Allowance Regulations

7. In regulation 70(3) of the Employment and Support Allowance Regulations (Northern Ireland) 2008⁽¹⁾ (special cases: supplemental – persons from abroad)—

(a) after sub-paragraph (b) insert—

“(bb) regulation 15A(1) of those Regulations, but only in a case where the right exists under that regulation because the claimant satisfies the criteria in regulation 15A(4A) of those Regulations;”;

(b) at the end of sub-paragraph (c) omit “or”;

(c) at the end of sub-paragraph (d) add “; or” and the following sub-paragraph—

“(e) Article 20 of the Treaty on the Functioning of the European Union (in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen).”.

⁽¹⁾ S.R. 2008 No. 280; regulation 70 was amended by regulation 7 of S.R. 2009 No. 68 and regulation 21(7) of S.R. 2011 No. 357