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STATUTORY RULES OF NORTHERN IRELAND

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**2022 No. 230**

**The Social Security (Habitual Residence and Past Presence)  
(Amendment No. 2) Regulations (Northern Ireland) 2022**

**Amendment of disability and carers benefit legislation**

- 3.—(1) In the provisions specified in paragraph (2)—
- (a) for “or a right” substitute “, a right”;
  - (b) after “the Immigration Act 1971” insert “or does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act.”.
- (2) The provisions referred to in paragraph (1) are—
- (a) regulation 9C(1)(f) of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(1) (refugees and certain persons with leave to enter or remain in the United Kingdom(2));
  - (b) regulation 2C(1)(f) of the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992(3) (refugees and certain persons with leave to enter or remain in the United Kingdom);
  - (c) regulation 2C(1)(f) of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(4) (refugees and certain persons with leave to enter or remain in the United Kingdom);
  - (d) regulation 23A(1)(f) of the Personal Independence Payment Regulations (Northern Ireland) 2016(5) (refugees and certain persons with leave to enter or remain in the United Kingdom).

**Commencement Information**

- II** Reg. 3 in operation at 18.10.2022, see [reg. 1](#)

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(1) [S.R. 1976 No. 99](#); regulation 9C was inserted by regulation 2(3) of [S.R. 2017 No. 218](#) and paragraph (1)(f) was added by regulation 4(2)(b) of [S.R. 2022 No. 149](#); relevant amending Regulations are [S.R. 2021 No. 269](#)

(2) The heading to the provisions referred to in paragraph (2)(a) to (d) was substituted by regulation 4(2) of [S.R. 2021 No. 269](#)

(3) [S.R. 1992 No. 20](#); regulation 2C was inserted by regulation 7(3) of [S.R. 2017 No. 218](#) and paragraph (1)(f) was added by regulation 4(2)(b) of [S.R. 2022 No. 149](#); relevant amending Regulations are [S.R. 2021 No. 269](#)

(4) [S.R. 1992 No. 32](#); regulation 2C was inserted by regulation 8(3) of [S.R. 2017 No. 218](#) and paragraph (1)(f) was added by regulation 4(2)(b) of [S.R. 2022 No. 149](#); relevant amending Regulations are [S.R. 2021 No. 269](#)

(5) [S.R. 2016 No. 217](#); regulation 23A was inserted by regulation 15 of [S.R. 2017 No. 218](#) and paragraph (1)(f) was added by regulation 5(2)(b) of [S.R. 2022 No. 149](#); relevant amending Regulations are [S.R. 2021 No. 269](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Habitual Residence and Past Presence) (Amendment No. 2) Regulations (Northern Ireland) 2022, Section 3.