
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 230

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

Amendment of income-related benefit legislation

- 2.—(1) In the provisions specified in paragraph (2)—
- (a) at the end of head (i) omit “or”;
 - (b) at the end of head (ii) add “or”;
 - (c) after head (ii) add—
 - “(iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA(1) of that Act;”.
- (2) The provisions referred to in paragraph (1) are—
- (a) regulation 21AA(4)(zcc) of the Income Support (General) Regulations (Northern Ireland) 1987(2) (special cases: supplemental—persons from abroad);
 - (b) regulation 85A(4)(zcc) of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(3) (special cases: supplemental—persons from abroad);
 - (c) regulation 2(4)(zcc) of the State Pension Credit Regulations (Northern Ireland) 2003(4) (persons not in Northern Ireland);
 - (d) regulation 10(5)(zcc) of the Housing Benefit Regulations (Northern Ireland) 2006(5) (persons from abroad);
 - (e) regulation 10(5)(zcc) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006(6) (persons from abroad);
 - (f) regulation 70(4)(zcc) of the Employment and Support Allowance Regulations (Northern Ireland) 2008(7) (special cases: supplemental – persons from abroad);
 - (g) regulation 9(4)(zc) of the Universal Credit Regulations (Northern Ireland) 2016(8) (persons treated as not being in Northern Ireland).

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- (1) Section 3ZA was inserted into the Immigration Act 1971 (c. 77) by section 2(2) of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (c. 20)
- (2) S.R. 1987 No. 459; regulation 21AA was inserted by regulation 2(3) of S.R. 2006 No. 178 and paragraph (4)(zcc) was inserted by regulation 2(3) of S.R. 2022 No. 149; relevant amending Regulations are S.R. 2021 No. 269
- (3) S.R. 1996 No. 198; regulation 85A was inserted by regulation 4(3) of S.R. 2006 No. 178 and paragraph (4)(zcc) was inserted by regulation 2(3) of S.R. 2022 No. 149; relevant amending Regulations are S.R. 2021 No. 269
- (4) S.R. 2003 No. 28; regulation 2 was substituted by regulation 5 of S.R. 2006 No. 178 and paragraph (4)(zcc) was inserted by regulation 2(3) of S.R. 2022 No. 149; relevant amending Regulations are S.R. 2021 No. 269
- (5) S.R. 2006 No. 405; paragraph (5)(zcc) was inserted by regulation 2(3) of S.R. 2022 No. 149; relevant amending Regulations are S.R. 2021 No. 269
- (6) S.R. 2006 No. 406; paragraph (5)(zcc) was inserted by regulation 2(3) of S.R. 2022 No. 149; relevant amending Regulations are S.R. 2021 No. 269
- (7) S.R. 2008 No. 280; paragraph (4)(zcc) was inserted by regulation 2(3) of S.R. 2022 No. 149; relevant amending Regulations are S.R. 2021 No. 269
- (8) S.R. 2016 No. 216; paragraph (4)(zc) was inserted by regulation 3(3) of S.R. 2022 No. 149; relevant amending Regulations are S.R. 2021 No. 269

Status: Point in time view as at 18/10/2022.

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 2. (See end of Document for details)

Commencement Information

II Reg. 2 in operation at 18.10.2022, see [reg. 1](#)

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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 2.