
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 80

**The Social Security (Habitual Residence and Past Presence)
(Amendment) Regulations (Northern Ireland) 2023**

Amendment of the Personal Independence Payment Regulations

5. In regulation 23A(1) of the Personal Independence Payment Regulations (Northern Ireland) 2016⁽¹⁾ (refugees and certain persons with leave to enter or remain in the United Kingdom)⁽²⁾—

(a) at the end of sub-paragraph (e)⁽³⁾ omit “or”;

(b) after sub-paragraph (f)⁽⁴⁾ add—

“or

(g) leave to enter or remain in the United Kingdom granted under or outside the immigration rules, a right of abode in the United Kingdom within the meaning given in section 2 of the Immigration Act 1971 or does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act, where C—

(i) was residing in Sudan before 15th April 2023; and

(ii) left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan.”.

Commencement Information

II Reg. 5 in operation at 18.5.2023, see [reg. 1](#)

(1) [S.R. 2016 No. 217](#); regulation 23A was inserted by regulation 15 of [S.R. 2017 No. 218](#); relevant amending Regulations are [S.R. 2021 No. 269](#) and [S.R. 2022 Nos. 149 and 230](#)

(2) The heading to regulation 23A was substituted by regulation 4(2) of [S.R. 2021 No. 269](#)

(3) Sub-paragraphs (c) to (e) were added by regulation 4(3)(b) of [S.R. 2021 No. 269](#) and amended by regulation 5(2) of [S.R. 2022 No. 149](#)

(4) Sub-paragraph (f) was added by regulation 5(2)(b) of [S.R. 2022 No. 149](#) and amended by regulation 3(1) of [S.R. 2022 No. 230](#)

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Habitual Residence and Past Presence) (Amendment) Regulations (Northern Ireland) 2023, Section 5.