
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2023 No.

**The Social Security (Residence Requirements)
(Sudan) (Scotland) Regulations 2023**

Amendment of disability and carer’s benefit legislation

2.—(1) The provisions specified in paragraph (3) are amended as follows.

(2) In paragraph (1)—

(a) at the end of sub-paragraph (e) omit “or”, and

(b) after sub-paragraph (f) insert—

“, 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 the person—

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

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

(3) The provisions mentioned in paragraph (1) are—

(a) regulation 9C of the Social Security (Invalid Care Allowance) Regulations 1976⁽¹⁾ (refugees and certain persons with leave to enter and remain in the United Kingdom),

(b) regulation 2C of the Social Security (Attendance Allowance) Regulations 1991⁽²⁾ (refugees and certain persons with leave to enter and remain in the United Kingdom),

(c) regulation 2C of the Social Security (Disability Living Allowance) Regulations 1991⁽³⁾ (refugees and certain persons with leave to enter and remain in the United Kingdom).

(1) S.I. 1976/409. Regulation 9C was inserted by S.I. 2017/1015 and relevantly amended by S.S.I. 2021/320, S.S.I. 2022/108 and S.S.I. 2022/336.

(2) S.I. 1991/2740. Regulation 2C was inserted by S.I. 2017/1015 and relevantly amended by S.S.I. 2021/320, S.S.I. 2022/108 and S.S.I. 2022/336.

(3) S.I. 1991/2890. Regulation 2C was inserted by S.I. 2017/1015 and relevantly amended by S.S.I. 2021/320, S.S.I. 2022/108 and S.S.I. 2022/336.