
STATUTORY INSTRUMENTS

2020 No. 672

The Child Benefit and Child Tax Credit (Persons of Northern Ireland) (Amendment) Regulations 2020

Amendment of the Child Benefit (General) Regulations 2006

2.—(1) The Child Benefit (General) Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 1(3) (citation, commencement and interpretation), in the appropriate place insert—

“‘relevant person of Northern Ireland’ means a person who—

(a) is—

- (i) a British citizen; or
- (ii) an Irish citizen; or
- (iii) a British citizen and an Irish citizen; and

(b) was born in Northern Ireland and, at the time of that person’s birth, at least one of their parents was—

- (i) a British citizen; or
- (ii) an Irish citizen; or
- (iii) a British citizen and an Irish citizen; or
- (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence;”.

(3) In regulation 23 (circumstances in which person treated as not being in Great Britain)⁽²⁾—

(a) after paragraph (4A) insert—

“(4B) Paragraph (4)(c) does not apply to a person who—

- (a) has limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971⁽³⁾ which has been granted by virtue of Appendix EU to the Immigration Rules⁽⁴⁾;
- (b) has been granted such leave in reliance of being a family member of a relevant person of Northern Ireland⁽⁵⁾ in accordance with those Rules; and

(1) [S.I. 2006/223](#); relevant amending instruments are [S.I. 2007/2150](#), [S.I. 2012/2612](#), [S.I. 2014/1511](#), [S.I. 2019/364](#) and [S.I. 2019/867](#).

(2) Regulation 23 was relevantly amended by regulation 8 of [S.I. 2007/2150](#), regulation 3 of [S.I. 2012/2612](#), regulation 3 of [S.I. 2014/1511](#), regulation 11 of [S.I. 2019/364](#) and regulation 2 of [S.I. 2019/867](#).

(3) [1971 c. 77](#); there are amendments but none is relevant.

(4) Laid before Parliament on 23rd May 1994 (HC 395), as amended. Appendix EU was laid before Parliament on 20th July 2018 (CM 9675) and the changes to Appendix EU in respect of relevant persons of Northern Ireland were laid before Parliament on 14th May 2020 (CP 232).

(5) For the meaning of ‘family member’, see the definition of ‘family member of a relevant EEA citizen’ in Annex 1 of Appendix EU to the Immigration Rules. ‘Relevant EEA citizen’ is defined in Annex 1 by reference to ‘EEA citizen’. ‘EEA citizen’ is defined in Annex 1 as including a ‘relevant person of Northern Ireland’.

- (c) would have a right to reside under the Immigration (European Economic Area) Regulations 2016(6) if the relevant person of Northern Ireland were an EEA national within the meaning of regulation 2 of those Regulations.”; and
- (b) in paragraph (7), for “In this regulation” substitute “For the purposes of paragraph (6)(e)”.
- (4) In regulation 27 (circumstances in which person treated as not being in Northern Ireland)(7)—
 - (a) after paragraph (3A) insert—
 - “(3B) Paragraph (3)(c) does not apply to a person who—
 - (a) has limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 which has been granted by virtue of Appendix EU to the Immigration Rules;
 - (b) has been granted such leave in reliance of being a family member of a relevant person of Northern Ireland in accordance with those Rules; and
 - (c) would have a right to reside under the Immigration (European Economic Area) Regulations 2016 if the relevant person of Northern Ireland were an EEA national within the meaning of regulation 2 of those Regulations.”; and
 - (b) in paragraph (6), for “In this regulation” substitute “For the purposes of paragraph (5)(e)”.

(6) [S.I. 2016/1052](#); relevant amending instruments are [S.I. 2018/801](#), [S.I. 2019/468](#) and [S.I. 2019/1155](#).
(7) Regulation 27 was relevantly amended by regulation 10 of [S.I. 2007/2150](#), regulation 4 of [S.I. 2012/2612](#), regulation 4 of [S.I. 2014/1511](#), regulation 11 of [S.I. 2019/364](#) and regulation 2 of [S.I. 2019/867](#).