
STATUTORY INSTRUMENTS

2022 No. 990

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

PART 2

**AMENDMENTS TO BENEFIT LEGISLATION EXTENDING
TO ENGLAND AND WALES AND SCOTLAND**

Amendments to income-related benefit legislation

2.—(1) In the provisions specified in paragraph (2)—

- (a) at the end of paragraph (i) omit “or”;
- (b) at the end of paragraph (ii) insert “or”;
- (c) after paragraph (ii) insert—

“(iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act(1);”.

(2) Those provisions are—

- (a) regulation 21AA(4)(zcc) of the Income Support (General) Regulations 1987(2);
- (b) regulation 85A(4)(zcc) of the Jobseeker’s Allowance Regulations 1996(3);
- (c) regulation 2(4)(zcc) of the State Pension Credit Regulations 2002(4);
- (d) regulation 10(3B)(zcc) of the Housing Benefit Regulations 2006(5);
- (e) regulation 10(4A)(zcc) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006(6);
- (f) regulation 70(4)(zcc) of the Employment and Support Allowance Regulations 2008(7);
and
- (g) regulation 9(4)(zc) of the Universal Credit Regulations 2013(8).

(1) Section 3ZA is 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.I. 1987/1967. Regulation 21AA is inserted by S.I. 2006/1026. Relevant amendments are made by S.I. 2006/2528, 2009/362, 2013/2536, 2014/902, 2019/872, 2020/683 and 1309, 2021/1034 and 2022/344.

(3) S.I. 1996/207. Regulation 85A is inserted by S.I. 2006/1026. Relevant amendments are made by S.I. 2006/2528, 2009/362, 2013/2536, 2014/902, 2019/872, 2020/683 and 1309, 2021/1034 and 2022/344.

(4) S.I. 2002/1792. Regulation 2 is substituted by S.I. 2006/1026. Relevant amendments are made by S.I. 2006/2528, 2009/362, 2013/2536, 2014/902, 2019/872, 2020/683 and 1309, 2021/1034 and 2022/344.

(5) S.I. 2006/213. Relevant amendments are made by S.I. 2006/1026 and 2528, 2009/362, 2013/2536, 2014/902, 2019/872, 2020/683 and 1309, 2021/1034 and 2022/344.

(6) S.I. 2006/214. Relevant amendments are made by S.I. 2006/1026 and 2528, 2009/362, 2013/2536, 2014/902, 2019/872, 2020/683 and 1309, 2021/1034 and 2022/344.

(7) S.I. 2008/794. Relevant amendments are made by S.I. 2009/362, 2013/2536, 2014/902, 2019/872, 2020/683 and 1309, 2021/1034 and 2022/344.

(8) S.I. 2013/376. Relevant amendments are made by S.I. 2013/1508, 2020/683 and 1309, 2021/1034 and 2022/344.

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