
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Income Support (General) Regulations (Northern Ireland) 1987, the Jobseeker's Allowance Regulations (Northern Ireland) 1996, the Housing Benefit (General) Regulations (Northern Ireland) 1987 and the State Pension Credit Regulations (Northern Ireland) 2003 ("the income-related benefit regulations").

In particular, they amend the income-related benefit regulations with effect that no person shall be treated as habitually resident for the purposes of entitlement to income support, jobseeker's allowance, housing benefit and state pension credit unless they have a right to reside in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland. They also extend the exception to the habitual residence test to include certain persons treated as workers from countries acceding to the European Union from 1st May 2004 in accordance the Accession (Immigration and Worker Registration) Regulations 2004 (S.I.2004/1219).

The Regulations also make provision for transitional arrangements and savings for those who are entitled to income support, jobseeker's allowance, housing benefit or state pension credit on 30th April 2004.

The Report of the Social Security Advisory Committee dated 22nd April 2004 on the proposals referred to them in respect of the Social Security (Habitual Residence) Amendment Regulations 2004 (S.I. 2004/1232), together with a statement showing the extent to which the proposals give effect to the Recommendations of the Committee, and in so far as they do not give effect to them, the reasons why not, are contained in Command Paper Cm 6181 published by the Stationery Office Ltd.

These Regulations do not impose a charge on business.