
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 197

**The Social Security (Habitual Residence
Amendment) Regulations (Northern Ireland) 2004**

Amendment of the State Pension Credit Regulations

5. In regulation 2 of the State Pension Credit Regulations⁽¹⁾ (persons not in Northern Ireland) –
- (a) at the beginning there shall be inserted “–(1) Subject to paragraph (2)”;
 - (b) in renumbered paragraph (1)(a) after “No. 73/148/EEC” add “or a person who is an accession State worker requiring registration who is treated as a worker for the purpose of the definition of “qualified person” in regulation 5(1) of the Immigration (European Economic Area) Regulations 2000 pursuant to regulation 5 of the Accession (Immigration and Worker Registration) Regulations 2004”;
 - (c) after renumbered paragraph (1) there shall be added the following paragraph –
 - “(2) For the purposes of treating a person as not in Northern Ireland in paragraph (1), no person shall be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland if he does not have a right to reside in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.”.

⁽¹⁾ Regulation 2 was amended by regulation 2(3) of [S.R. 2003 No. 421](#)