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STATUTORY RULES OF NORTHERN IRELAND

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**2019 No. 90**

**The Social Security (Income-related Benefits)  
(Updating and Amendment No. 2) (EU  
Exit) Regulations (Northern Ireland) 2019**

**Amendment of the State Pension Credit Regulations**

**4.** In regulation 2(1) of the State Pension Credit Regulations (Northern Ireland) 2003(2) (persons not in Northern Ireland)—

- (a) in paragraph (2) after “paragraph (3)” insert “or (3A)”;
- (b) in paragraph (3)—
  - (i) in sub-paragraph (a) for “Immigration (European Economic Area) Regulations 2006” substitute “Immigration (European Economic Area) Regulations 2016”;
  - (ii) for sub-paragraph (bb)(3) substitute—
    - “(bb) regulation 16 of those Regulations, but only in a case where the right exists under that regulation because the person satisfies the criteria in paragraph (5) of that regulation.”;
- (c) after paragraph (3) insert—
  - “(3A) A right to reside falls within this paragraph if it is one which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—
    - (a) Appendix EU to the immigration rules made under section 3(2) of that Act; or
    - (b) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act.”;
- (d) in paragraph (4)(za)(4) for “Immigration (European Economic Area) Regulations 2006” substitute “Immigration (European Economic Area) Regulations 2016”.

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(1) Regulation 2 was substituted by regulation 5 of S.R. 2006 No. 178  
(2) S.R. 2003 No. 28; relevant amending Regulations are S.R. 2006 No. 178, S.R. 2012 No. 380 and S.R. 2014 No. 133  
(3) Sub-paragraph (bb) was inserted by regulation 4(a) of S.R. 2012 No. 380  
(4) Sub-paragraphs (za) to (zc) were substituted for sub-paragraphs (a) to (f) by regulation 4 of S.R. 2014 No. 133