
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 90

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

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations

6. In regulation 10 of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006⁽¹⁾ (persons from abroad)—

- (a) in paragraph (3) after “paragraph (4)” insert “or (4A)”;
- (b) in paragraph (4)—
 - (i) in sub-paragraph (a) for “Immigration (European Economic Area) Regulations 2006” substitute “Immigration (European Economic Area) Regulations 2016”;
 - (ii) for sub-paragraph (bb)⁽²⁾ 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 (4) insert—
 - “(4A) 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 (5)(za)⁽³⁾ for “Immigration (European Economic Area) Regulations 2006” substitute “Immigration (European Economic Area) Regulations 2016”.

⁽¹⁾ S.R. 2006 No. 406; relevant amending Regulations are S.R. 2012 No. 380 and S.R. 2014 No. 133

⁽²⁾ Sub-paragraph (bb) was inserted by regulation 6(a) of S.R. 2012 No. 380

⁽³⁾ Sub-paragraphs (za) to (zc) were substituted for sub-paragraphs (a) to (f) by regulation 6 of S.R. 2014 No. 133