

STATUTORY RULES OF NORTHERN IRELAND

2023 No. 80

**The Social Security (Habitual Residence and Past Presence)
(Amendment) Regulations (Northern Ireland) 2023**

Amendment of disability and carer's benefit legislation

- 4.—(1) In the provisions specified in paragraph (2)—
- (a) at the end of sub-paragraph (e)(1) omit “or”;
 - (b) after sub-paragraph (f)(2) add—
“or
 - (g) leave to enter or remain in the United Kingdom granted under or outside the immigration rules, a right of abode in the United Kingdom within the meaning given in section 2 of the Immigration Act 1971 or does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act, where the person—
 - (i) was residing in Sudan before 15th April 2023; and
 - (ii) left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan.”.
- (2) Those provisions are—
- (a) regulation 9C(1) of the Social Security (Invalid Care Allowance) Regulations (Northern Ireland) 1976(3) (refugees and certain persons with leave to enter or remain in the United Kingdom(4));
 - (b) regulation 2C(1) of the Social Security (Attendance Allowance) Regulations (Northern Ireland) 1992(5) (refugees and certain persons with leave to enter or remain in the United Kingdom);
 - (c) regulation 2C(1) of the Social Security (Disability Living Allowance) Regulations (Northern Ireland) 1992(6) (refugees and certain persons with leave to enter or remain in the United Kingdom).

Commencement Information

II Reg. 4 in operation at 18.5.2023, see [reg. 1](#)

- (1) Sub-paragraphs (c) to (e) were added by regulation 4(3)(b) of [S.R. 2021 No. 269](#) and amended by regulation 4(2) of [S.R. 2022 No. 149](#)
- (2) Sub-paragraph (f) was added by regulation 4(2)(b) of [S.R. 2022 No. 149](#) and amended by regulation 3(1) of [S.R. 2022 No. 230](#)
- (3) [S.R. 1976 No. 99](#); regulation 9C was inserted by regulation 2(3) of [S.R. 2017 No. 218](#); relevant amending Regulations are [S.R. 2021 No. 269](#) and [S.R. 2022 Nos. 149 and 230](#)
- (4) The heading to the provisions referred to in paragraph (2)(a) to (c) was substituted by regulation 4(2) of [S.R. 2021 No. 269](#)
- (5) [S.R. 1992 No. 20](#); regulation 2C was inserted by regulation 7(3) of [S.R. 2017 No. 218](#); relevant amending Regulations are [S.R. 2021 No. 269](#) and [S.R. 2022 Nos. 149 and 230](#)
- (6) [S.R. 1992 No. 32](#); regulation 2C was inserted by regulation 8(3) of [S.R. 2017 No. 218](#); relevant amending Regulations are [S.R. 2021 No. 269](#) and [S.R. 2022 Nos. 149 and 230](#)

Changes to legislation: There are currently no known outstanding effects for the The Social Security (Habitual Residence and Past Presence) (Amendment) Regulations (Northern Ireland) 2023, Section 4. (See end of Document for details)

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