

---

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).

---

(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](#)