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STATUTORY INSTRUMENTS

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**2012 No. 2587**

**The Social Security (Habitual Residence)  
(Amendment) Regulations 2012**

**Amendment of the Income Support (General) Regulations 1987**

2.—(1) Regulation 21AA of the Income Support (General) Regulations 1987<sup>(1)</sup> (special cases: supplemental – persons from abroad) is amended as follows.

(2) After paragraph (3)(b), insert—

“(bb) regulation 15A(1) of those Regulations<sup>(2)</sup>, but only in a case where the right exists under that regulation because the claimant satisfies the criteria in regulation 15A(4A) of those Regulations;”.

(3) At the end of paragraph (3)(c), omit “or”.

(4) At the end of paragraph (3)(d), add “; or” and the following sub-paragraph—

“(e) Article 20 of the Treaty on the Functioning of the European Union (in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen).”.

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(1) [S.I. 1987/1967](#); regulation 21AA was inserted by [S.I. 2006/1026](#); there are other amending instruments but none is relevant.  
(2) [S.I. 2006/1003](#); regulation 15A(1) was inserted by [S.I. 2012/1547](#) and regulation 15A(4A) was inserted by [S.I. 2012/2560](#).