
STATUTORY INSTRUMENTS

2012 No. 2587

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

Amendment of the Jobseeker's Allowance Regulations 1996

3.—(1) Regulation 85A of the Jobseeker's Allowance Regulations 1996⁽¹⁾ (special cases: supplemental – persons from abroad) is amended as follows.

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

(3) After paragraph (3)(a), insert—

“(aa) regulation 15A(1) of those Regulations, 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;”.

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

“(c) 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).”.

⁽¹⁾ [S.I. 1996/207](#); regulation 85A was inserted by [S.I. 2006/1026](#); there are other amending instruments but none is relevant.