
STATUTORY INSTRUMENTS

2012 No. 2587

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

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

6.—(1) Regulation 10 of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006⁽¹⁾ (persons from abroad) is amended as follows.

(2) After paragraph (4)(b), insert—

“(bb) 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;”.

(3) At the end of paragraph (4)(c), omit “or”.

(4) At the end of paragraph (4)(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).”.

⁽¹⁾ [S.I. 2006/214](#); regulation 10 was amended by [S.I. 2006/1026](#); there are other amending instruments but none is relevant.