
STATUTORY INSTRUMENTS

2012 No. 2587

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

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

8.—(1) Regulation 7 of the Council Tax 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. 2006/216; regulation 7 was amended by S.I. 2006/1026; there are other amending instruments but none is relevant.