
STATUTORY INSTRUMENTS

2021 No. 495

The Social Security and Tax Credits (Miscellaneous and Coronavirus Amendments) Regulations 2021

Amendment of the Social Security (Immigration and Asylum) Consequential Amendments Regulations 2000

2.—(1) The Social Security (Immigration and Asylum) Consequential Amendments Regulations 2000⁽¹⁾ are amended as follows.

(2) In regulation 2 (persons not excluded from specified benefits under section 115 of the Immigration and Asylum Act 1999), for paragraph (3A) substitute—

“(3A) For the purposes of entitlement to child benefit under the Contributions and Benefits Act⁽²⁾, a person—

- (a) who is lawfully working in Great Britain; and
- (b) who is a national of a State with which the United Kingdom has concluded an agreement which replaces, in whole or in part, an agreement under Article 217 of the Treaty on the Functioning of the European Union⁽³⁾ which makes provision for the receipt of family allowances for members of their family who are legally resident in the United Kingdom,

is a person to whom section 115 of the Act⁽⁴⁾ does not apply.”.

(1) *S.I. 2000/636* (“the principal Regulations”) amended by regulation 2 of *S.I. 2020/1505* (regulation 2(2)(b) inserted paragraph (3A) into regulation 2 of the principal Regulations); there are other amending instruments but none is relevant.

(2) “The Contributions and Benefits Act” is defined in regulation 1 of the principal Regulations as meaning the Social Security Contributions and Benefits Act 1992.

(3) OJ C 202, 7.6.2016.

(4) “The Act” is defined in regulation 1 of the principal Regulations as meaning the Immigration and Asylum Act 1999.