
STATUTORY INSTRUMENTS

2022 No. 344

The Social Security (Habitual Residence and Past Presence) (Amendment) Regulations 2022

PART 3

**AMENDMENTS TO BENEFIT LEGISLATION
EXTENDING TO ENGLAND AND WALES ONLY**

Amendment of disability and carers benefit legislation

4.—(1) The provisions specified in paragraph (4) are amended as follows.

(2) In paragraph (1)—

(a) at the end of sub-paragraph (d), omit “or”;

(b) after sub-paragraph (e) insert—

“or

(f) leave to enter or remain in the United Kingdom granted under or outside the immigration rules or a right of abode in the United Kingdom within the meaning given in section 2 of the Immigration Act 1971 where the person—

(i) was residing in Ukraine immediately before 1st January 2022; and

(ii) left Ukraine in connection with the Russian invasion which took place on 24th February 2022.”.

(3) In paragraph (1A), for “paragraph (1)(c), (d) or (e)” substitute “any sub-paragraph in paragraph (1)”.

(4) Those provisions are—

(a) regulation 9C of the Social Security (Invalid Care Allowance) Regulations 1976⁽¹⁾;

(b) regulation 2C of the Social Security (Attendance Allowance) Regulations 1991⁽²⁾; and

(c) regulation 2C of the Social Security (Disability Living Allowance) Regulations 1991⁽³⁾.

Commencement Information

II Reg. 4 in force at 22.3.2022, see [reg. 1\(1\)](#)

(1) [S.I. 1976/409](#). Regulation 9C is inserted by [S.I. 2017/1015](#). Paragraph (1A) is inserted by [S.I. 2021/1034](#).
(2) [S.I. 1991/2740](#). Regulation 2C is inserted by [S.I. 2017/1015](#). Paragraph (1A) is inserted by [S.I. 2021/1034](#).
(3) [S.I. 1991/2890](#). Regulation 2C is inserted by [S.I. 2017/1015](#). Paragraph (1A) is inserted by [S.I. 2021/1034](#).

Amendment of the Social Security (Personal Independence Payment) Regulations 2013

5.—(1) Regulation 23A of the Social Security (Personal Independence Payment) Regulations 2013(4) is amended as follows.

(2) In paragraph (1)—

(a) at the end of sub-paragraph (d), omit “or”;

(b) after sub-paragraph (e) insert—

“or

(f) leave to enter or remain in the United Kingdom granted under or outside the immigration rules or a right of abode in the United Kingdom within the meaning given in section 2 of the Immigration Act 1971 where C—

(i) was residing in Ukraine immediately before 1st January 2022; and

(ii) left Ukraine in connection with the Russian invasion which took place on 24th February 2022.”.

(3) In paragraph (1A), for “paragraph (1)(c), (d) or (e)” substitute “any sub-paragraph in paragraph (1)”.

Commencement Information

I2 Reg. 5 in force at 22.3.2022, see [reg. 1\(1\)](#)

(4) [S.I. 2013/377](#). Regulation 23A is inserted by [S.I. 2017/1015](#). Paragraph (1A) is inserted by [S.I. 2021/1034](#).

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Habitual Residence and Past Presence) (Amendment) Regulations 2022, PART 3.