
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⁾.

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—

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

“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)”.