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STATUTORY INSTRUMENTS

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**2023 No. 532**

**The Social Security (Habitual Residence and Past Presence) (Amendment) Regulations 2023**

**PART 3**

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

**Amendments to disability and carer’s benefit legislation**

**4.—**(1) In the provisions specified in paragraph (2)—

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

(b) after sub-paragraph (f) insert—

“; or

(g) leave to enter or remain in the United Kingdom granted under or outside the immigration rules, a right of abode in the United Kingdom within the meaning given in section 2 of the Immigration Act 1971 or does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act, where the person—

(i) was residing in Sudan before 15th April 2023; and

(ii) left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan”.

(2) Those provisions are—

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

(b) regulation 2C(1) of the Social Security (Attendance Allowance) Regulations 1991(2); and

(c) regulation 2C(1) of the Social Security (Disability Living Allowance) Regulations 1991(3).

**Amendments to the Social Security (Personal Independence Payment) Regulations 2013**

**5.** In regulation 23A(1) of the Social Security (Personal Independence Payment) Regulations 2013(4)—

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

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(1) [S.I. 1976/409](#). Regulation 9C is inserted by [S.I. 2017/1015](#). Relevant amendments are made by [S.I. 2021/1034](#) and [2022/344](#) and [990](#).

(2) [S.I. 1991/2740](#). Regulation 2C is inserted by [S.I. 2017/1015](#). Relevant amendments are made by [S.I. 2021/1034](#) and [2022/344](#) and [990](#).

(3) [S.I. 1991/2890](#). Regulation 2C is inserted by [S.I. 2017/1015](#). Relevant amendments are made by [S.I. 2021/1034](#) and [2022/344](#) and [990](#).

(4) [S.I. 2013/377](#). Regulation 23A is inserted by [S.I. 2017/1015](#). Relevant amendments are made by [S.I. 2021/1034](#) and [2022/344](#) and [990](#).

(b) after sub-paragraph (f) insert—

“; or

(g) leave to enter or remain in the United Kingdom granted under or outside the immigration rules, a right of abode in the United Kingdom within the meaning given in section 2 of the Immigration Act 1971 or does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act, where C—

(i) was residing in Sudan before 15th April 2023; and

(ii) left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan”.