STATUTORY RULES OF NORTHERN IRELAND

2006 No. 379

HOUSING; RATES; SOCIAL SECURITY

The Social Security (Persons from Abroad) (Amendment No. 2) Regulations (Northern Ireland) 2006

Made - - - -	*15th September 2006*
Coming into operation	*9th October 2006*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by sections 122(1)(a) and (d), 131(1) and (2), 133(2) and 171(1) and (3) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Article 6(5) and (12) of, and paragraph 11 of Schedule 1 to, the Jobseekers (Northern Ireland) Order 1995(**2**), and now vested in it(**3**), and sections 1(5)(a) and 19(1) and (3) of the State Pension Credit Act (Northern Ireland) 2002(**4**).

Regulation 3 is made with the consent of the Department of Finance and Personnel(**5**).

The Social Security Advisory Committee has agreed that proposals in respect of regulation 3 should not be referred to it(**6**).

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Social Security (Persons from Abroad) (Amendment No. 2) Regulations (Northern Ireland) 2006 and shall come into operation on 9th October 2006.

(2) The Interpretation Act (Northern Ireland) 1954(**7**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**1**) 1992 c. 7; section 133(2)(d) was substituted by paragraph 18(3) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 (S.I. 1995/2705) (N.I. 15)) and section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21)
(**2**) S.I. 1995/2705 (N.I. 15)
(**3**) *See* Article 8(b) of S.R. 1999 No. 481
(**4**) 2002 c. 14 (N.I.)
(**5**) *See* section 171(6A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 as inserted by Article 3(3) of the Social Security (Amendment) (Northern Ireland) Order 1993 (S.I. 1993/1579 (N.I. 8)); *see also* Article 6(b) of S.R. 1999 No. 481
(**6**) *See* section 150(1)(b) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8)
(**7**) 1954 c. 33 (N.I.)

Amendment of the Income Support (General) Regulations

2. In regulation 21AA(4) of the Income Support (General) Regulations (Northern Ireland) 1987(**8**) (special cases: supplemental—persons from abroad), for sub-paragraph (h) substitute—

"(h) a person who has exceptional leave to enter or remain in the United Kingdom granted outside the rules made under section 3(2) of the Immigration Act 1971(**9**);

(hh) a person who has humanitarian protection granted under those rules;".

Amendment of the Housing Benefit (General) Regulations

3. In regulation 7A(5ZB) of the Housing Benefit (General) Regulations (Northern Ireland) 1987(**10**) (persons from abroad), for sub-paragraph (h) substitute—

"(h) a person who has exceptional leave to enter or remain in the United Kingdom granted outside the rules made under section 3(2) of the Immigration Act 1971;

(hh) a person who has humanitarian protection granted under those rules;".

Amendment of the Jobseeker's Allowance Regulations

4. In regulation 85A(4) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**11**) (special cases: supplemental—persons from abroad), for sub-paragraph (h) substitute—

"(h) a person who has exceptional leave to enter or remain in the United Kingdom granted outside the rules made under section 3(2) of the Immigration Act 1971;

(hh) a person who has humanitarian protection granted under those rules;".

Amendment of the State Pension Credit Regulations

5. In regulation 2(4) of the State Pension Credit Regulations (Northern Ireland) 2003(**12**) (persons not in Northern Ireland), for sub-paragraph (h) substitute—

"(h) a person who has exceptional leave to enter or remain in the United Kingdom granted outside the rules made under section 3(2) of the Immigration Act 1971;

(hh) a person who has humanitarian protection granted under those rules;".

(**8**) S.R. 1987 No. 459; regulation 21AA was inserted by regulation 2(3) of S.R. 2006 No. 178 and amended by regulation 2 of S.R. 2006 No. 320
(**9**) 1971 c. 77
(**10**) S.R. 1987 No. 461; regulation 7A was inserted by regulation 2(1) of S.R. 1994 No. 80; paragraph (5ZB) was substituted by regulation 3(2)(c) of S.R. 2006 No. 178 and amended by regulation 3 of S.R. 2006 No. 320
(**11**) S.R. 1996 No. 198; regulation 85A was inserted by regulation 4(3) of S.R. 2006 No. 178 and amended by regulation 4 of S.R. 2006 No. 320
(**12**) S.R. 2003 No. 28; regulation 2 was substituted by regulation 5 of S.R. 2006 No. 178 and amended by regulation 5 of S.R. 2006 No. 320