

STATUTORY RULES OF NORTHERN IRELAND

2023 No. 184

**The Social Security (Habitual Residence
and Past Presence, and Capital Disregards)
(Amendment) Regulations (Northern Ireland) 2023**

Amendment of the Employment and Support Allowance Regulations

8.—(1) The Employment and Support Allowance Regulations (Northern Ireland) 2008⁽¹⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (interpretation)—

(a) in the definition of “qualifying person”⁽²⁾ after “the National Emergencies Trust” insert “, the Victims of Overseas Terrorism Compensation Scheme”;

(b) after the definition of “vaccine damage payment”⁽³⁾ insert—

““the Victims of Overseas Terrorism Compensation Scheme” means the scheme of that name established by the Ministry of Justice in 2012 under section 47 of the Crime and Security Act 2010;”.

(3) In the provisions specified in sub-paragraphs (a) to (c), after “the National Emergencies Trust” insert “, the Victims of Overseas Terrorism Compensation Scheme”—

(a) regulation 112(8)(a)⁽⁴⁾ (income treated as capital);

(b) regulation 115(5)(a)⁽⁵⁾ (notional capital);

(c) paragraph 27(1)⁽⁶⁾ and (7)⁽⁷⁾ of Schedule 9 (capital to be disregarded).

Commencement Information

II Reg. 8 in operation at 28.10.2023, see [reg. 1\(1\)](#)

- (1) Relevant amending regulations are [S.R. 2010 No. 69](#), [S.R. 2011 No. 357](#), [S.R. 2017 Nos. 205 and 219](#), [S.R. 2020 No. 108](#), [S.R. 2021 No. 345](#) and [S.R. 2023 No. 97](#)
- (2) The definition of “qualifying person” was amended by regulation 10(3)(a) of [S.R. 2010 No. 69](#), regulation 21(2)(b) of [S.R. 2011 No. 357](#), regulation 8(2)(b) of [S.R. 2017 No. 205](#), regulation 8(2)(c) of [S.R. 2017 No. 219](#), regulation 7(2)(b) of [S.R. 2020 No. 108](#), regulation 7(2)(b) of [S.R. 2021 No. 345](#) and regulation 7(2)(c) of [S.R. 2023 No. 97](#)
- (3) The definition of “vaccine damage payment” was inserted by regulation 7(2)(b) of [S.R. 2023 No. 97](#)
- (4) Regulation 112(8) was substituted by regulation 7(4) of [S.R. 2023 No. 97](#)
- (5) Regulation 115(5)(a) was amended by regulation 10(3)(d) and (5)(c) of [S.R. 2010 No. 69](#), regulation 21(9)(a) of [S.R. 2011 No. 357](#), regulation 8(3)(c) of [S.R. 2017 Nos. 205 and 219](#) respectively and regulation 7(5)(c) of [S.R. 2020 No. 108](#)
- (6) Paragraph 27(1) was amended by regulation 10(3)(g) and (5)(f) of [S.R. 2010 No. 69](#), regulation 21(9)(c) of [S.R. 2011 No. 357](#), regulation 8(3)(f) of [S.R. 2017 Nos. 205 and 219](#) respectively and regulation 7(12)(a)(i) of [S.R. 2020 No. 108](#)
- (7) Paragraph 27(7) was amended by regulation 10(3)(g) of [S.R. 2010 No. 69](#), regulation 8(3)(f) of [S.R. 2017 Nos. 205 and 219](#) respectively and regulation 7(12)(a)(v) of [S.R. 2020 No. 108](#)

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Habitual Residence and Past Presence, and Capital Disregards) (Amendment) Regulations (Northern Ireland) 2023, Section 8.