

STATUTORY RULES OF NORTHERN IRELAND

**2023 No. 182**

**HOUSING, NORTHERN IRELAND**

**The Allocation of Housing and Homelessness (Eligibility)  
(Amendment) (No. 2) Regulations (Northern Ireland) 2023**

<i>Made</i>	- - - -	<i>at 9.55 a.m. on 26th October 2023</i>
<i>Laid before Parliament</i>		<i>at 12.10 p.m on 26th October 2023</i>
<i>Coming into force</i>	- -	<i>27th October 2023</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by Article 22A(3) of the Housing (Northern Ireland) Order 1981(1) and Article 7A(2) of the Housing (Northern Ireland) Order 1988(2).

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Allocation of Housing and Homelessness (Eligibility) (Amendment) (No. 2) Regulations (Northern Ireland) 2023 and come into operation on 27th October 2023.

(2) These Regulations extend to Northern Ireland.

**Commencement Information**

**II** Reg. 1 in operation at 27.10.2023, see [reg. 1\(1\)](#)

**Amendment of the Allocation of Housing and Homelessness (Eligibility) Regulations  
(Northern Ireland) 2006**

2.—(1) The Allocation of Housing and Homelessness (Eligibility) Regulations (Northern Ireland) 2006(3) are amended as follows.

(2) In regulation 3(2) (persons not to be treated as persons from abroad who are ineligible for an allocation of housing accommodation), after sub-paragraph (m) insert—

(1) S.I. 1981/156 (N.I. 3); Article 22A was inserted by Article 124(5) of S.I. 2003/412 (N.I. 2).

(2) S.I. 1988/1990 (N.I. 23); Article 7A was inserted by Article 137 of S.I. 2003/412.

(3) S.R. 2006 No. 397; relevant amending instruments are S.R. 2009 No. 161, S.R. 2013 No. 189, S.R. 2019 No. 86, S.I. 2020/1309, S.R. 2021 No. 254, S.R. 2022 No. 128, S.R. 2023 No. 79.

“(n) a person who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7th October 2023 and who left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack.”

(3) In regulation 4(2) (persons not to be treated as persons from abroad who are ineligible for housing assistance), after sub-paragraph (m) insert—

“(n) a person who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7th October 2023 and who left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack.”

**Commencement Information**

**I2** Reg. 2 in operation at 27.10.2023, see [reg. 1\(1\)](#)

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

*Felicity Buchan*  
Parliamentary Under Secretary of State  
Department for Levelling Up, Housing and  
Communities

At 9.55 a.m. on 26th October 2023

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 2 of these Regulations amends the Allocation of Housing and Homelessness (Eligibility) Regulations (Northern Ireland) 2006 ([S.R. 2006 No. 397](#)) to ensure that persons who were residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7th October 2023 and who left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack, are exempt from the habitual residence test otherwise applicable in relation to eligibility for an allocation of housing accommodation and for housing assistance.

A full regulatory impact assessment has not been prepared for this instrument because the impact on business is not likely to be significant.

**Changes to legislation:**

There are currently no known outstanding effects for the The Allocation of Housing and Homelessness (Eligibility) (Amendment) (No. 2) Regulations (Northern Ireland) 2023.