

2023 No. 182

HOUSING, NORTHERN IRELAND

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

Made - - - - at 9.55 a.m. on 26th October 2023

Laid before Parliament at 12.10 p.m on 26th October 2023

Coming into force 27th October 2023

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

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.

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(c) 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—

“(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

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

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

(c) 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.

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.”.

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

Felicity Buchan

Parliamentary Under Secretary of State

At 9.55 a.m. on 26th October 2023 Department for Levelling Up, Housing and Communities

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.

© Crown copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty’s Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£5.78

<http://www.legislation.gov.uk/id/nisr/2023/182>

ISBN 978-0-33-802195-3



9 780338 021953