

*These notes refer to the Immigration and Asylum Act 1999
(c.33) which received Royal Assent on 11 November 1999*

IMMIGRATION AND ASYLUM ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 9

Section 122: Support for children

348. This section places a duty on the Secretary of State to offer and, if the offer is accepted, provide support under section 95 for the children and other minor dependants of asylum seekers who are in need. He is to provide them with adequate accommodation and their essential living needs.
349. Local authority social services departments may not provide assistance under the various child welfare provisions applying in different parts of the United Kingdom where the Secretary of State is complying with this duty or where there are reasonable grounds for believing that he would be required to provide support were an application for section 95 support to be made to him. This exclusion is, however, subject to any contrary provision made by regulations under subsection (11).
350. Where accommodation has been provided pursuant to the duty under this section and later withdrawn, subsections (7) to (9) provide that only the local authority within whose area the withdrawn accommodation was provided may provide assistance under the child welfare provisions.