



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART VI

SUPPORT FOR ASYLUM-SEEKERS

Exclusions

119 Homelessness: Scotland and Northern Ireland.

- (1) A person subject to immigration control—
- (a) is not eligible for accommodation or assistance under the homelessness provisions, and
 - (b) is to be disregarded in determining for the purposes of those provisions, whether [^{F1}a person falling within subsection (1A)]—
 - (i) is homeless or is threatened with homelessness, or
 - (ii) has a priority need for accommodation,unless he is of a class specified in an order made by the Secretary of State.

[^{F2}(1A) A person falls within this subsection if the person—

- (a) falls within a class specified in an order under subsection (1); but
 - [^{F3}(b) is not a person who, immediately before IP completion day, was—
 - (i) a national of an EEA State or Switzerland, and
 - (ii) within a class specified in an order under subsection (1) which had effect at that time.]]
- (2) An order under subsection (1) may not be made so as to include in a specified class any person to whom section 115 applies.
- (3) “The homelessness provisions” means—
- (a) in relation to Scotland, Part II of the ^{M1}Housing (Scotland) Act 1987; and
 - (b) in relation to Northern Ireland, Part II of the ^{M2}Housing (Northern Ireland) Order 1988.

Changes to legislation: Immigration and Asylum Act 1999, Section 119 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(4) “Person subject to immigration control” has the same meaning as in section 118.

Textual Amendments

- F1** Words in s. 119(1)(b) substituted (2.3.2009 for specified purposes) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), [Sch. 15 para. 22\(2\)](#); S.I. 2009/415, art. 3
- F2** S. 119(1A) inserted (2.3.2009 for specified purposes) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), [Sch. 15 para. 22\(3\)](#); S.I. 2009/415, art. 3
- F3** S. 119(1A)(b) substituted (31.12.2020) by [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), [12\(7\)](#)

Commencement Information

- I1** S. 119 wholly in force at 1.3.2000; s. 119 not in force at Royal Assent see s. 170(4); s. 119 in force for certain purposes at 1.1.2000 by [S.I. 1999/3190](#), art. 2, [Sch.](#); s. 119 in force at 1.3.2000 insofar as not already in force by [S.I. 2000/464](#), art. 2, [Sch.](#)

Marginal Citations

- M1** [1987 c. 26](#).
- M2** [S.I. 1988/1990 \(N.I. 13\)](#).

Changes to legislation:

Immigration and Asylum Act 1999, Section 119 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(12) inserted by 2023 c. 37 s. 10(6)
- s. 40(1)-(1C) substituted for s. 40(1) by 2022 c. 36 s. 76(2)
- s. 40(4A)(4B) inserted by 2022 c. 36 s. 76(5)
- s. 72(10) repealed by 2004 c. 19 Sch. 4
- s. 94(2A)-(2C) inserted by 2016 c. 19 Sch. 11 para. 3(3)
- s. 94(2D) inserted by 2016 c. 19 Sch. 11 para. 7(4)
- s. 94(3)(3A) substituted for s. 94(3) by 2002 c. 41 s. 44(4) (This amendment is repealed (prosp.) by 2016 c. 19, Sch. 11 para. 41)
- s. 94(3A)-(3D) inserted by 2016 c. 19 Sch. 11 para. 3(5)
- s. 95A inserted by 2016 c. 19 Sch. 11 para. 9
- s. 96(1A) inserted by 2016 c. 19 Sch. 11 para. 10(3)
- s. 97(3A)(b)(iv) inserted by 2022 c. 36 s. 13(2)(c)(ii)
- s. 97(8)(9) inserted by 2016 c. 19 Sch. 11 para. 11(4)
- s. 98A inserted by 2016 c. 19 Sch. 11 para. 13
- s. 98A(5) inserted by 2022 c. 36 s. 13(4)
- s. 103(4)(a) words substituted by 2004 c. 19 s. 10(4)(b)
- s. 103(5)(b) word substituted by S.I. 2008/2833 Sch. 3 para. 183(ii)
- s. 103A(1) words substituted by 2004 c. 19 s. 10(5)
- s. 103A(1) heading words substituted by 2004 c. 19 s. 10(5)
- s. 103A(1) words substituted by S.I. 2008/2833 Sch. 3 para. 184
- s. 125(2)(ba) inserted by 2016 c. 19 Sch. 11 para. 22(3)(b)
- s. 146(2)(za) inserted by 2016 c. 19 s. 44(9)
- s. 166(5)(ca) substituted for word in s. 166(5)(c) by 2016 c. 19 Sch. 11 para. 24(2)
- s. 166(5A)(5B) inserted by 2016 c. 19 Sch. 11 para. 24(3)
- s. 166(6)(aa) substituted for word in s. 166(6)(a) by 2016 c. 19 Sch. 11 para. 24(4)
- Sch. 2 para. 21 modified by 2002 c. 41 s. 23(2)(a)
- Sch. 3 para. 2(5) modified by 2002 c. 41 s. 23(2)(b)