



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART VI

SUPPORT FOR ASYLUM-SEEKERS

Provision of support

97 Supplemental

- (1) When exercising his power under section 95 to provide accommodation, the Secretary of State must have regard to—
 - (a) the fact that the accommodation is to be temporary pending determination of the asylum-seeker's claim;
 - (b) the desirability, in general, of providing accommodation in areas in which there is a ready supply of accommodation; and
 - (c) such other matters (if any) as may be prescribed.
- (2) But he may not have regard to—
 - (a) any preference that the supported person or his dependants (if any) may have as to the locality in which the accommodation is to be provided; or
 - (b) such other matters (if any) as may be prescribed.
- (3) The Secretary of State may by order repeal all or any of the following—
 - (a) subsection (1)(a);
 - (b) subsection (1)(b);
 - (c) subsection (2)(a).
- (4) When exercising his power under section 95 to provide essential living needs, the Secretary of State—
 - (a) must have regard to such matters as may be prescribed for the purposes of this paragraph; but
 - (b) may not have regard to such other matters as may be prescribed for the purposes of this paragraph.

Status: This is the original version (as it was originally enacted).

- (5) In addition, when exercising his power under section 95 to provide essential living needs, the Secretary of State may limit the overall amount of the expenditure which he incurs in connection with a particular supported person—
- (a) to such portion of the income support applicable amount provided under section 124 of the Social Security Contributions and Benefits Act 1992, or
 - (b) to such portion of any components of that amount,
- as he considers appropriate having regard to the temporary nature of the support that he is providing.
- (6) For the purposes of subsection (5), any support of a kind falling within section 96(1)(c) is to be treated as if it were the provision of essential living needs.
- (7) In determining how to provide, or arrange for the provision of, support under section 95, the Secretary of State may disregard any preference which the supported person or his dependants (if any) may have as to the way in which the support is to be given.