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## EXPLANATORY NOTE

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

Under section 9 of the Asylum and Immigration Act 1996, the Secretary of State has power to specify classes of persons subject to immigration control for whom a housing authority may provide housing accommodation (subsection (1)) or assistance under the homelessness legislation (subsection (2)). The Housing Accommodation and Homelessness (Persons subject to Immigration Control) Order 1996 (S.I.1996/1982), which did not extend to Northern Ireland, specified certain classes for the purposes of section 9. This Order makes equivalent provision for Northern Ireland.

This Order specifies the following classes for the purposes of section 9(1) (article 3)—

Class A — a person recorded as a refugee;

Class B — a person who has been granted exceptional leave to enter or remain in the UK;

Class C — a person whose leave to enter or remain is not subject to any restriction;

Class D — an overseas student, in difficult to let accommodation let by the Northern Ireland Housing Executive to an education institution.

The classes specified for the purposes of section 9(2) are classes A to C above and (article 4)—

Class E — a person who claims asylum on arrival in this country or within 3 months of a declaration by the Secretary of State as to a fundamental change of status in his country of nationality if no determination has yet been made of the claim;

Class F — an asylum seeker in receipt of housing benefit on 4th February 1996 until the next decision on his claim is made.