
STATUTORY INSTRUMENTS

1999 No. 2135

HOUSING, ENGLAND

**The Allocation of Housing and Homelessness
(Amendment) (England) Regulations 1999**

<i>Made</i>	- - - -	<i>26th July 1999</i>
<i>Laid before Parliament</i>		<i>3rd August 1999</i>
<i>Coming into force</i>	- -	<i>24th August 1999</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred upon him by sections 161(2) and (3), 172(4), 185(2) and (3) and 215 of the Housing Act 1996(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Allocation of Housing and Homelessness (Amendment) (England) Regulations 1999 and shall come into force on 24th August 1999.

(2) These Regulations extend to England only.

Classes prescribed under section 161(2) of the Housing Act 1996 who are qualifying persons

2. In regulation 4 of the Allocation of Housing Regulations 1996(2), at the end, there shall be inserted the following class—

“Class CB (this applies in relation to England only) – a person who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.”.

Classes prescribed under section 161(3) of the Housing Act 1996 who are qualifying persons

3. In regulation 5 of the Allocation of Housing Regulations 1996, at the end, there shall be inserted the following class—

“Class EA (this applies in relation to England only) – a person who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.”.

(1) 1996 c. 52.
(2) S.I. 1996/2753; regulation 4 has been amended by S.I. 1997/631.

Classes of persons subject to immigration control who are eligible for housing assistance

4. In regulation 3(1) of the Homelessness Regulations 1996⁽³⁾, at the end, there shall be inserted the following class—

“Class I (this applies in relation to England only) – a person who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.”.

Descriptions of persons who are to be treated as persons from abroad ineligible for housing assistance

5.—(1) Regulation 4 of the Homelessness Regulations 1996⁽⁴⁾ is amended as follows.

(2) At the beginning, there shall be inserted “(1)”.

(3) After paragraph (a)(iv), there shall be inserted—

“(v) a person who is on an income-based jobseeker’s allowance or in receipt of income support;”.

(4) At the end, there shall be added—

“(2) Paragraph (1)(a)(v) applies in relation to England only and the definitions in regulation 3(2)(a), (b) and (c) shall apply for the purposes of that paragraph.”.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Hilary Armstrong
Minister of State,
Department of the Environment, Transport and
the Regions

26th July 1999

(3) [S.I. 1996/2754](#); regulation 3 has been amended by [S.I. 1997/631](#).

(4) Regulation 4 has been amended by [S.I. 1997/631](#), [1997/2046](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations extend to England only.

Regulation 2 adds a class to the classes of persons subject to immigration control and regulation 3 adds a class to other classes of persons (both prescribed in the Allocation of Housing Regulations 1996) who are qualified to be allocated housing accommodation under Part VI of the Housing Act 1996 (“the 1996 Act”).

Regulation 4 adds a class to the classes of persons subject to immigration control (prescribed in the Homelessness Regulations 1996) who are eligible for housing assistance under Part VII of the 1996 Act.

In each of regulations 2, 3 and 4, the additional class consists of those persons who left Montserrat after 1st November 1995 because of the effect of a volcanic eruption.

Regulation 4 of the Homelessness Regulations 1996 makes provision as to descriptions of persons who are to be treated for the purposes of Part VII of the 1996 Act as persons from abroad who are ineligible for housing assistance. Regulation 5 of these Regulations excludes, from the description of persons in regulation 4(1)(a) of the Homelessness Regulations 1996, persons on income support or income-based jobseeker’s allowance who are not subject to immigration control, so removing their ineligibility under that regulation.