

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Social Security (Immigration and Asylum) Consequential Amendments Regulations 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE

PERSONS NOT EXCLUDED FROM CERTAIN BENEFITS UNDER SECTION 115 OF THE IMMIGRATION AND ASYLUM ACT 1999

PART I

Persons not excluded under section 115 of the Immigration and Asylum Act from entitlement to [^{F1}universal credit,] income-based jobseeker’s allowance, income support, [^{F2}Income-Related Employment and Support Allowance,] a social fund payment, housing benefit or council tax benefit

F1	Words in Sch. Pt. I inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630) , regs. 1(2), 31(4)
F2	Words in Sch. Pt. I inserted (27.10.2008) by Employment and Support Allowance (Consequential Provisions) (No.2) Regulations 2008 (S.I. 2008/1554) , regs. 1(2)(b), 69(5)

^{F3}1.

F3	Words in Sch. Pt. I omitted (29.10.2013) by virtue of The Social Security (Miscellaneous Amendments) (No. 3) Regulations 2013 (S.I. 2013/2536) , regs. 1(1), 9(3)
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2. A person who has been given leave to enter or remain in, the United Kingdom by the Secretary of State upon an undertaking by another person or persons pursuant to the immigration rules within the meaning of the Immigration Act 1971, to be responsible for his maintenance and accommodation and who has not been resident in the United Kingdom for a period of at least five years beginning on the date of entry or the date on which the undertaking was given in respect of him, whichever date is the later and the person or persons who gave the undertaking to provide for his maintenance and accommodation has, or as the case may be, have died

- 3. A person who—
 - (a) has been given leave to enter or remain in, the United Kingdom by the Secretary of State upon an undertaking by another person or persons pursuant to the immigration rules within the meaning of the Immigration Act 1971, to be responsible for his maintenance and accommodation; and
 - (b) has been resident in the United Kingdom for a period of at least five years beginning on the date of entry or the date on which the undertaking was given in respect of him, whichever date is the later.

4. A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance (done in Paris on 11th December 1953 ^{M1}) or a state which has ratified the Council of Europe Social Charter (signed in Turin on 18th October 1961) and who is lawfully present in the United Kingdom.

Marginal Citations	
M1	Cmd. 9512.

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

- [Blanket amendment words substituted by S.I. 2011/1043 art. 3-68-10](#)