

2006 No. 2007

HOUSING

**The Allocation of Housing and Homelessness (Eligibility)
(England) (Amendment) Regulations 2006**

Made - - - - - *24th July 2006*
Laid before Parliament *25th July 2006*
Coming into force - - - *4.00 p.m. on 25th July 2006*

The Secretary of State, in exercise of the powers conferred by sections 160A(5), 172(4) and 185(3) of the Housing Act 1996(a), makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2006 and shall come into force at 4 p.m. on 25th July 2006.

(2) These Regulations apply to England only.

Persons who have left Lebanon

2.—(1) The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006(b) are amended as follows.

(2) After regulation 2(3) insert—

“(4) For the purposes of regulations 4(2)(h) and 6(2)(h), “the relevant period” means the period beginning at 4 p.m. on 25th July 2006 and ending on 31st January 2007.”.

(3) In regulation 4(2)(f), omit ‘and’.

(4) At the end of regulation 4(2)(g), insert ‘; and’.

(5) After regulation 4(2)(g), insert—

“(h) during the relevant period, a person who left Lebanon on or after 12th July 2006 because of the armed conflict there.”.

(6) In regulation 6(2)(f), omit ‘and’.

(7) At the end of regulation 6(2)(g), insert ‘; and’.

(8) After regulation 6(2)(g), insert—

“(h) during the relevant period, a person who left Lebanon on or after 12th July 2006 because of the armed conflict there.”.

(a) 1996, c.52.
(b) S.I. 2006/1294.

Signed by authority of the Secretary of State

24th July 2006

Kay Andrews
Parliamentary Under Secretary of State
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the provisions of the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (“the Eligibility Regulations”) which determine which persons from abroad, other than persons subject to immigration control^(a), are ineligible for an allocation of housing accommodation under Part 6 of the Housing Act 1996 or for housing assistance under Part 7 of that Act.

A person who is not subject to immigration control is ineligible for an allocation or for housing assistance if he is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, unless specifically exempted from that requirement. Regulation 2 amends the Eligibility Regulations to create such an exemption. The effect of the provision is that a person not subject to immigration control who is not habitually resident, and who left Lebanon on or after 12th July 2006 because of the armed conflict there, is not ineligible for an allocation or for housing assistance. However, this exemption only has effect until 31st January 2007.

A regulatory impact assessment has not been produced for these Regulations as they have no impact on the costs of business, charities or voluntary bodies.

^(a) For these purposes, ‘person subject to immigration control’ has the meaning given by section 13(2) of the Asylum and Immigration Act 1996 (c.49) (see sections 160A(3) and 185(2) of the Housing Act 1996). That provision defines ‘person subject to immigration control’ as a person who under the Immigration Act 1971 (c.77) requires leave to enter or remain in the United Kingdom (whether or not such leave has been given).

STATUTORY INSTRUMENTS

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£3.00

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E1040 7/2006 161040T 19585