



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART VI

SUPPORT FOR ASYLUM-SEEKERS

Support and assistance by local authorities etc.

101 Reception zones.

- (1) The Secretary of State may by order designate as reception zones—
 - (a) areas in England and Wales consisting of the areas of one or more local authorities;
 - (b) areas in Scotland consisting of the areas of one or more local authorities;
 - (c) Northern Ireland.
- (2) Subsection (3) applies if the Secretary of State considers that—
 - (a) a local authority whose area is within a reception zone has suitable housing accommodation within that zone; or
 - (b) the Executive has suitable housing accommodation.
- (3) The Secretary of State may direct the local authority or the Executive to make available such of the accommodation as may be specified in the direction for a period so specified—
 - (a) to him for the purpose of providing support under section 95; or
 - (b) to a person with whom the Secretary of State has made arrangements under section 95.
- (4) A period specified in a direction under subsection (3)—
 - (a) begins on a date so specified; and
 - (b) must not exceed five years.

Changes to legislation: Immigration and Asylum Act 1999, Section 101 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) A direction under subsection (3) is enforceable, on an application made on behalf of the Secretary of State, by injunction or in Scotland an order under section 45(b) of the ^{M1}Court of Session Act 1988.
- (6) The Secretary of State’s power to give a direction under subsection (3) in respect of a particular reception zone must be exercised by reference to criteria specified for the purposes of this subsection in the order designating that zone.
- (7) The Secretary of State may not give a direction under subsection (3) in respect of a local authority in Scotland unless the Scottish Ministers have confirmed to him that the criteria specified in the designation order concerned are in their opinion met in relation to that authority.
- (8) Housing accommodation is suitable for the purposes of subsection (2) if it—
- (a) is unoccupied;
 - (b) would be likely to remain unoccupied for the foreseeable future if not made available; and
 - (c) is appropriate for the accommodation of persons supported under this Part or capable of being made so with minor work.
- (9) If housing accommodation for which a direction under this section is, for the time being, in force—
- (a) is not appropriate for the accommodation of persons supported under this Part, but
 - (b) is capable of being made so with minor work,
- the direction may require the body to whom it is given to secure that that work is done without delay.
- (10) The Secretary of State must make regulations with respect to the general management of any housing accommodation for which a direction under subsection (3) is, for the time being, in force.
- (11) Regulations under subsection (10) must include provision—
- (a) as to the method to be used in determining the amount of rent or other charges to be payable in relation to the accommodation;
 - (b) as to the times at which payments of rent or other charges are to be made;
 - (c) as to the responsibility for maintenance of, and repairs to, the accommodation;
 - (d) enabling the accommodation to be inspected, in such circumstances as may be prescribed, by the body to which the direction was given;
 - (e) with respect to the condition in which the accommodation is to be returned when the direction ceases to have effect.
- (12) Regulations under subsection (10) may, in particular, include provision—
- (a) for the cost, or part of the cost, of minor work required by a direction under this section to be met by the Secretary of State in prescribed circumstances;
 - (b) as to the maximum amount of expenditure which a body may be required to incur as a result of a direction under this section.
- (13) The Secretary of State must by regulations make provision (“the dispute resolution procedure”) for resolving disputes arising in connection with the operation of any regulations made under subsection (10).
- (14) Regulations under subsection (13) must include provision—

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- (a) requiring a dispute to be resolved in accordance with the dispute resolution procedure;
- (b) requiring the parties to a dispute to comply with obligations imposed on them by the procedure; and
- (c) for the decision of the person resolving a dispute in accordance with the procedure to be final and binding on the parties.

(15) Before—

- (a) designating a reception zone in Great Britain,
- (b) determining the criteria to be included in the order designating the zone, or
- (c) making regulations under subsection (13),

the Secretary of State must consult such local authorities, local authority associations and other persons as he thinks appropriate.

(16) Before—

- (a) designating Northern Ireland as a reception zone, or
- (b) determining the criteria to be included in the order designating Northern Ireland,

the Secretary of State must consult the Executive and such other persons as he thinks appropriate.

(17) Before making regulations under subsection (10) which extend only to Northern Ireland, the Secretary of State must consult the Executive and such other persons as he thinks appropriate.

(18) Before making any other regulations under subsection (10), the Secretary of State must consult—

- (a) such local authorities, local authority associations and other persons as he thinks appropriate; and
- (b) if the regulations extend to Northern Ireland, the Executive.

Marginal Citations

M1 1988 c. 36.

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Changes and effects yet to be applied to :

- s. 101(3) words inserted by 2016 c. 19 Sch. 11 para. 16

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(12) inserted by 2023 c. 37 s. 10(6)
- s. 40(1)-(1C) substituted for s. 40(1) by 2022 c. 36 s. 76(2)
- s. 40(4A)(4B) inserted by 2022 c. 36 s. 76(5)
- s. 72(10) repealed by 2004 c. 19 Sch. 4
- s. 94(2A)-(2C) inserted by 2016 c. 19 Sch. 11 para. 3(3)
- s. 94(2D) inserted by 2016 c. 19 Sch. 11 para. 7(4)
- s. 94(3)(3A) substituted for s. 94(3) by 2002 c. 41 s. 44(4) (This amendment is repealed (prosp.) by 2016 c. 19, Sch. 11 para. 41)
- s. 94(3A)-(3D) inserted by 2016 c. 19 Sch. 11 para. 3(5)
- s. 95A inserted by 2016 c. 19 Sch. 11 para. 9
- s. 96(1A) inserted by 2016 c. 19 Sch. 11 para. 10(3)
- s. 97(3A)(b)(iv) inserted by 2022 c. 36 s. 13(2)(c)(ii)
- s. 97(8)(9) inserted by 2016 c. 19 Sch. 11 para. 11(4)
- s. 98A inserted by 2016 c. 19 Sch. 11 para. 13
- s. 98A(5) inserted by 2022 c. 36 s. 13(4)
- s. 103(4)(a) words substituted by 2004 c. 19 s. 10(4)(b)
- s. 103(5)(b) word substituted by S.I. 2008/2833 Sch. 3 para. 183(ii)
- s. 103A(1) words substituted by 2004 c. 19 s. 10(5)
- s. 103A(1) heading words substituted by 2004 c. 19 s. 10(5)
- s. 103A(1) words substituted by S.I. 2008/2833 Sch. 3 para. 184
- s. 125(2)(ba) inserted by 2016 c. 19 Sch. 11 para. 22(3)(b)
- s. 146(2)(za) inserted by 2016 c. 19 s. 44(9)
- s. 166(5)(ca) substituted for word in s. 166(5)(c) by 2016 c. 19 Sch. 11 para. 24(2)
- s. 166(5A)(5B) inserted by 2016 c. 19 Sch. 11 para. 24(3)
- s. 166(6)(aa) substituted for word in s. 166(6)(a) by 2016 c. 19 Sch. 11 para. 24(4)
- Sch. 2 para. 21 modified by 2002 c. 41 s. 23(2)(a)
- Sch. 3 para. 2(5) modified by 2002 c. 41 s. 23(2)(b)