

Status: Point in time view as at 01/04/2018.

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Cross Heading: Ineligibility for support is up to date with all changes known to be in force on or before 18 May 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)

SCHEDULES

SCHEDULE 3

WITHHOLDING AND WITHDRAWAL OF SUPPORT

Modifications etc. (not altering text)

- C1** Sch. 3 applied (with modifications) (25.2.2008) by [The Independent Police Complaints Commission \(Immigration and Asylum Enforcement Functions\) Regulations 2008 \(S.I. 2008/212\)](#), regs. 1, 5(b), **Sch. 2**

Ineligibility for support

- 1 (1) A person to whom this paragraph applies shall not be eligible for support or assistance under—
- ^{F1}(a)
 - ^{F2}(b)
 - (c) section 12 or 13A of the Social Work (Scotland) Act 1968 (c. 49) (social welfare services),
 - (d) Article 7 or 15 of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)) (prevention of illness, social welfare, &c.),
 - ^{F3}(e)
 - (f) section 29(1)(b) of the Housing (Scotland) Act 1987 (c. 26) (interim duty to accommodate in case of apparent priority need where review of a local authority decision has been requested),
 - (g) section 17, 23C, [^{F4}23CZB,]^{F5}23CA,] 24A or 24B of the Children Act 1989 (c. 41) (welfare and other powers which can be exercised in relation to adults),
 - (h) Article 18, 35 or 36 of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)) (welfare and other powers which can be exercised in relation to adults),
 - (i) sections 22, 29 and 30 of the Children (Scotland) Act 1995 (c. 36) (provisions analogous to those mentioned in paragraph (g)),
 - (j) section 188(3) or 204(4) of the Housing Act 1996 (c. 52) (accommodation pending review or appeal),
 - (k) section 2 of the Local Government Act 2000 (c. 22) (promotion of well-being),
 - ^{F6}(ka) section 1 of the Localism Act 2011 (local authority's general power of competence),]
 - (l) a provision of the Immigration and Asylum Act 1999 (c. 33), ^{F7}...
 - (m) a provision of this Act [^{F8}, ^{F9}...

Status: Point in time view as at 01/04/2018.

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Cross Heading: Ineligibility for support is up to date with all changes known to be in force on or before 18 May 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)

- (n) Part 1 of the Care Act 2014 (care and support provided by local authority)]^{F10} or
 - (o) Part 4 (duty of local authority to meet needs) or sections 105 to 116 (leaving care, accommodation and fostering) of the Social Services and Well-being (Wales) Act 2014.]
- (2) A power or duty under a provision referred to in sub-paragraph (1) may not be exercised or performed in respect of a person to whom this paragraph applies (whether or not the person has previously been in receipt of support or assistance under the provision).
- (3) An approval or directions given under or in relation to a provision referred to in sub-paragraph (1) shall be taken to be subject to sub-paragraph (2).

Textual Amendments

- F1** Sch. 3 para. 1(1)(a) omitted (E.W.) (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(2)**
- F2** Sch. 3 para. 1(1)(b) omitted (E.W.) (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(2)**
- F3** Sch. 3 para. 1(1)(e) omitted (E.W.) (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(2)**
- F4** Word in Sch. 3 para. 1(1)(g) inserted (1.4.2018) by [Children and Social Work Act 2017 \(c. 16\)](#), s. 70(2), **Sch. 2 para. 5**; S.I. 2018/346, reg. 4(aa)
- F5** Word in Sch. 3 para. 1(1)(g) inserted (1.4.2011 for E., 19.6.2012 in so far as not already in force) by [Children and Young Persons Act 2008 \(c. 23\)](#), **ss. 22(6)**, 44(4); S.I. 2010/2981, art. 4(g); S.I. 2012/1553, art. 2(a)
- F6** Sch. 3 para. 1(1)(ka) inserted (28.3.2012) by [The Localism Act 2011 \(Consequential Amendments\) Order 2012 \(S.I. 2012/961\)](#), art. 1(2), **Sch. 1 para. 4**
- F7** Word in Sch. 3 para. 1(1)(l) omitted (1.4.2015) by virtue of [The Care Act 2014 and Children and Families Act 2014 \(Consequential Amendments\) Order 2015 \(S.I. 2015/914\)](#), art. 1(2), **Sch. para. 67(3)** (with arts. 1(3), 3) (see S.I. 2015/993, art. 2(a))
- F8** Sch. 3 para. 1(1)(n) and word inserted (1.4.2015) by [The Care Act 2014 and Children and Families Act 2014 \(Consequential Amendments\) Order 2015 \(S.I. 2015/914\)](#), art. 1(2), **Sch. para. 67(4)** (with arts. 1(3), 3) (see S.I. 2015/993, art. 2(a))
- F9** Word in Sch. 3 para. 1(1)(m) omitted (E.W.) (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(3)**
- F10** Sch. 3 para. 1(1)(o) and word inserted (E.W.) (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(4)**

Status:

Point in time view as at 01/04/2018.

Changes to legislation:

Nationality, Immigration and Asylum Act 2002, Cross Heading: Ineligibility for support is up to date with all changes known to be in force on or before 18 May 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.