

Status: Point in time view as at 01/04/2018.

Changes to legislation: Nationality, Immigration and Asylum Act 2002, Paragraph 1 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Status: Point in time view as at 01/04/2018.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, Paragraph 1 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, Paragraph 1 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.