

**Status:** This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** Immigration Act 2016, Paragraph 11 is up to date with all changes known to be in force on or before 15 July 2023. 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](#)

## SCHEDULES

### SCHEDULE 11

#### SUPPORT FOR CERTAIN CATEGORIES OF MIGRANT

##### PART 1

##### AMENDMENTS OF THE IMMIGRATION ACTS

PROSPECTIVE

##### *Power to support failed asylum-seekers*

- 11 (1) Section 97 (supplemental) is amended as follows.
- (2) In subsection (1)—
- (a) after “section 95” insert “ or 95A ”;
  - (b) after “regard to” insert “ the following ”;
  - (c) in paragraph (a), at the beginning insert “ in the case of the provision of accommodation under section 95, ”.
- (3) In subsections (4), (5) and (7), after “section 95” insert “ or 95A ”.
- (4) After subsection (7) insert—
- “(8) A tenancy is not a Scottish secure tenancy (within the meaning of the Housing (Scotland) Act 2001 (asp 10)) if it is granted in order to provide accommodation under section 95A.
  - (9) A tenancy which would be a Scottish secure tenancy but for subsection (8) becomes a Scottish secure tenancy if the landlord notifies the tenant that it is to be regarded as such.”

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/1241, Sch. by [S.I. 2018/31 reg. 2](#)