
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision supplementing Part VI of the Immigration and Asylum Act 1999. They have the effect that support is to be available to asylum-seekers and their dependants who apply in accordance with the Regulations and appear to the Secretary of State to be destitute, or to be likely to become destitute within 14 days of the application being considered. The Regulations define who is a “dependant” of an asylum-seeker for these purposes and set out the matters to be taken into account in deciding whether a person, or family group, is destitute. They also set out what support can be expected to be provided to a successful applicant: this will generally take the form of accommodation, provision for other essential living needs or both accommodation and such provision. The provision for essential living needs will be in the form of vouchers redeemable for goods, services and not more than £10 cash per person per week.

The Regulations make provision for the notification of the Secretary of State when changes of circumstances occur that may affect the support to be provided. They enable the Secretary of State to require contributions towards the cost of providing support in some cases, and to recover sums; they also set out cases where support can be suspended or discontinued, and make provision for bringing tenancies to an end. In addition, they make provision whereby “destitute” in certain related legislation has the same meaning as it has for the purposes of asylum support.