
STATUTORY INSTRUMENTS

2005 No. 930

The Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005

Community activities: general

4.—(1) Where the Secretary of State so determines, the continued provision of accommodation to a person falling within section 4(2) or (3) of the 1999 Act is to be conditional upon that person's performance of or participation in such community activity as is described in this regulation and is from time to time notified to the person in accordance with regulation 5.

(2) In making the determination referred to in paragraph (1), regard will be had to the following matters—

- (a) the length of time that he believes the person will continue to be eligible for accommodation,
- (b) the arrangements that have been made for the performance of or participation in community activities in the area in which the person is being provided with accommodation,
- (c) any relevant health and safety standards which are agreed between the Secretary of State and a person with whom he has made arrangements for the provision of community activities in the person's area,
- (d) whether the person is in the Secretary of State's belief unable to perform or participate in community activities because of a physical or mental impairment or for some other medical reason,
- (e) whether the person is in the Secretary of State's belief unable to perform or participate in community activities because of a responsibility for the care of a dependant child or of a dependant who because of a physical or mental impairment is unable to look after himself, and
- (f) any relevant information provided to the Secretary of State, regarding the person's suitability to perform or participate in particular tasks, activities or a range of tasks or activities.

(3) Paragraph (1) does not apply in relation to a person who is under the age of 18.

(4) No condition on the continued provision of accommodation will require a person to perform or participate in community activities for more than 35 hours in any week, including the weekend.