
STATUTORY INSTRUMENTS

2008 No. 1768

The Persons subject to Immigration Control (Housing Authority Accommodation and Homelessness) (Amendment) Order 2008

Amendment of the Persons subject to Immigration Control (Housing Authority Accommodation and Homelessness) Order 2000

2.—(1) The Persons subject to Immigration Control (Housing Authority Accommodation and Homelessness) Order 2000(1) is amended as follows.

(2) In article 2 (interpretation)—

- (a) omit the definition of “the 1995 Act”; and
- (b) omit the definition of “limited leave”.

(3) In article 3 (housing authority accommodation—England, Scotland and Northern Ireland), omit paragraph (e).

(4) In article 7 (homelessness—Scotland and Northern Ireland) for sub-paragraph (1)(a) substitute the following—

- “(a) the classes specified in article 3(a) to (d) (Class A, Class B, Class BA, Class C and Class D);”.

(5) For article 8 (homelessness—Northern Ireland substitute the following—

“The following is a class of person specified for the purposes of section 119(1) of the 1999 Act in respect of Northern Ireland—

Class T—a person who is an asylum-seeker and—

- (a) who was in Northern Ireland when the Secretary of State made a declaration to the effect that the country of which that person is a national is subject to such a fundamental change in circumstances that he would not normally order the return of a person to that country;
- (b) who made a claim for asylum which is recorded by the Secretary of State as having been made within a period of three months from the day on which that declaration was made; and
- (c) whose claim for asylum has not been recorded by the Secretary of State as having been either decided (other than on appeal) or abandoned.”.

(6) For article 9 (homelessness—Scotland) substitute the following—

“The following is a class of person specified for the purposes of section 119(1) of the 1999 Act in respect of Scotland—

Class V—a person who is an asylum-seeker and—

- (a) who was in Great Britain when the Secretary of State made a declaration to the effect that the country of which that person is a national is subject to such a fundamental change in circumstances that he would not normally order the return of a person to that country;

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- (b) who made a claim for asylum which is recorded by the Secretary of State as having been made within a period of three months from the day on which that declaration was made; and
- (c) whose claim for asylum has not been recorded by the Secretary of State as having been either decided (other than on appeal) or abandoned.”.