

2022 No. 601

IMMIGRATION

HOUSING, ENGLAND

HOUSING, SCOTLAND

HOUSING, NORTHERN IRELAND

**The Allocation of Housing and Homelessness (Eligibility)
(England) and Persons Subject to Immigration Control (Housing
Authority Accommodation and Homelessness) (Amendment)
(No. 2) Regulations 2022**

<i>Made</i>	- - - -	<i>30th May 2022</i>
<i>Laid before Parliament</i>		<i>1st June 2022</i>
<i>Coming into force</i>	- -	<i>22nd June 2022</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 160ZA(2), 172(4), 185(2) and 215(2) of the Housing Act 1996^(a) and sections 118(1), 119(1) and 166(3) of the Immigration and Asylum Act 1999^(b).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Allocation of Housing and Homelessness (Eligibility) (England) and Persons Subject to Immigration Control (Housing Authority Accommodation and Homelessness) (Amendment) (No. 2) Regulations 2022 and come into force on 22nd June 2022.

(2) Any amendment made by these Regulations has the same extent as the provision amended.

-
- (a) 1996 c. 52. Section 160ZA was inserted by section 146(1) of the Localism Act 2011 (c. 20) and amended by S.I. 2013/630. Section 185 was amended by paragraph 7(1) of Schedule 1 to the Homelessness Act 2002 (c. 7), paragraph 4 of Schedule 15 to the Housing and Regeneration Act 2008 (c. 17) and S.I. 2013/630, 2009/415 and 2020/1309. Section 215(1) gives the meaning of “prescribed” in Part 7.
- (b) 1999 c. 33. Section 118(1)(b) was amended by section 43(3) of the Immigration, Asylum and Nationality Act 2006 (c. 13) and paragraph 2(e) and 20 of Schedule 11 to the Immigration Act 2016 (c. 33). Section 119 was amended by paragraph 22 of Schedule 15 to the Housing and Regeneration Act 2008 (c. 17) and S.I. 2020/1309. There are no relevant amendments to section 166.

Amendment of the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006

2.—(1) The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006^(a) are amended as follows.

(2) In regulation 3 (persons subject to immigration control who are eligible for an allocation of housing accommodation), after paragraph (m) insert—

“(n) Class N – a person in the United Kingdom who has limited leave to remain granted in accordance with Appendix Ukraine Scheme of the Immigration Rules^(b) pursuant to an application made by that person from within the United Kingdom, but excluding a person (P) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds.”.

(3) In regulation 5(1) (persons subject to immigration control who are eligible for housing assistance), after sub-paragraph (n) insert—

“(o) Class O – a person in the United Kingdom who has limited leave to remain granted in accordance with Appendix Ukraine Scheme of the immigration rules pursuant to an application made by that person from within the United Kingdom, but excluding a person (P) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds.”.

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

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

(2) In article 3 (housing authority accommodation—England, Scotland and Northern Ireland), after paragraph (ga) insert—

“(gb) Class FAB — a person in the United Kingdom who has limited leave to remain granted in accordance with Appendix Ukraine Scheme of the Immigration Rules^(d) pursuant to an application made by that person from within the United Kingdom, but excluding a person (P) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds.”.

(3) In article 7(1) (homelessness—Scotland and Northern Ireland), in sub-paragraph (a), after “Class FAA,” insert “Class FAB,”.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Eddie Hughes

Parliamentary Under Secretary of State

30th May 2022

Department for Levelling Up, Housing and Communities

(a) S.I. 2006/1294, amended by S.I. 2022/339; there are other amending instruments but none is relevant.

(b) Laid before Parliament on 23rd May 1994 (HC 395), as amended. Appendix Ukraine Scheme was laid before Parliament on 29 March 2022 (HC 1220).

(c) S.I. 2000/706, amended by S.I. 2022/339, there are other amending instruments but none is relevant.

(d) See section 167(2) of the Immigration and Asylum Act 1999 c. 33.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (S.I. 2006/1294). Those amendments ensure that certain persons in the United Kingdom who have limited leave to remain granted in accordance with Appendix Ukraine Scheme of the Immigration Rules having made their immigration application from within the United Kingdom, are eligible for an allocation of housing accommodation and for housing assistance.

Regulation 3 of these Regulations amends the Persons subject to Immigration Control (Housing Authority Accommodation and Homelessness) Order 2000 (S.I. 2000/706). Those amendments enable housing authorities in Scotland and Northern Ireland to provide housing accommodation and housing authorities in England, Scotland and Northern Ireland to provide homelessness assistance to those persons referred to above.

A full Regulatory Impact Assessment has not been prepared for this instrument because the impact on business is not likely to be significant.

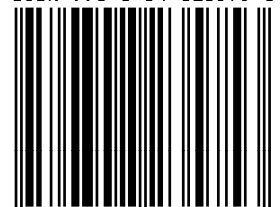
© Crown copyright 2022

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.90

<http://www.legislation.gov.uk/id/uksi/2022/601>

ISBN 978-0-34-823575-3



9 780348 235753