
STATUTORY INSTRUMENTS

2023 No. 530

**The Allocation of Housing and Homelessness (Eligibility)
(England) and Persons Subject to Immigration
Control (Housing Authority Accommodation and
Homelessness) (Amendment) Regulations 2023**

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

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

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

- “(p) Class P — a person who—
- (i) was residing in Sudan before 15th April 2023;
 - (ii) left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan;
 - (iii) has leave to enter or remain in the United Kingdom given in accordance with the Immigration Rules⁽²⁾;
 - (iv) is not a person whose leave is subject to a condition requiring that person to maintain and accommodate themselves, and any person who is dependent on that person, without recourse to public funds; and
 - (v) is not a person (“P”)—
 - (aa) who has been given leave upon an undertaking given by P’s sponsor;
 - (bb) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P’s sponsor gave the undertaking in respect of P, whichever date is later; and
 - (cc) whose sponsor, or where there is more than one sponsor, at least one of whose sponsors, is still alive.”.

(3) In regulation 4(2) (persons not to be treated as persons from abroad who are ineligible for an allocation of housing accommodation), after sub-paragraph (m) insert—

- “(n) a person who was residing in Sudan before 15th April 2023 and left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan.”.

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

(1) [S.I. 2006/1294](#). Relevant amending instruments are [S.I. 2022/339](#) and [1371](#).

(2) See regulation 2(1) of [S.I. 2006/1294](#) for the meaning of “the Immigration Rules”.

- “(q) Class Q — a person who—
- (i) was residing in Sudan before 15th April 2023;
 - (ii) left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan;
 - (iii) has leave to enter or remain in the United Kingdom given in accordance with the Immigration Rules;
 - (iv) is not a person whose leave is subject to a condition requiring that person to maintain and accommodate themselves, and any person who is dependent on that person, without recourse to public funds; and
 - (v) is not a person (“P”)—
 - (aa) who has been given leave upon an undertaking given by P’s sponsor;
 - (bb) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P’s sponsor gave the undertaking in respect of P, whichever date is the later; and
 - (cc) whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive.”.
- (5) In regulation 6(2) (persons not to be treated as persons from abroad who are ineligible for housing assistance), after sub-paragraph (m) insert—
- “(n) a person who was residing in Sudan before 15th April 2023 and left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan.”.