



# Immigration and Asylum Act 1999

## 1999 CHAPTER 33

### PART I

#### IMMIGRATION: GENERAL

##### *Leave to enter, or remain in, the United Kingdom*

#### 4 [F<sup>1</sup>Accommodation]

[F<sup>2</sup>[F<sup>3</sup>(1)] The Secretary of State may provide, or arrange for the provision of, facilities for the accommodation of persons—

- (a) temporarily admitted to the United Kingdom under paragraph 21 of Schedule 2 to the 1971 Act;
- (b) released from detention under that paragraph; or
- (c) released on bail from detention under any provision of the Immigration Acts.

[F<sup>4</sup>(2) The Secretary of State may provide, or arrange for the provision of, facilities for the accommodation of a person if—

- (a) he was (but is no longer) an asylum-seeker, and
- (b) his claim for asylum was rejected [F<sup>5</sup>or declared inadmissible (see sections 80A and 80B of the Nationality, Immigration and Asylum Act 2002)].

(3) The Secretary of State may provide, or arrange for the provision of, facilities for the accommodation of a dependant of a person for whom facilities may be provided under subsection (2).

(4) The following expressions have the same meaning in this section as in Part VI of this Act (as defined in section 94)—

- (a) asylum-seeker,
- (b) claim for asylum, and
- (c) dependant.]

[F<sup>6</sup>(5) The Secretary of State may make regulations specifying criteria to be used in determining—

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- (a) whether or not to provide accommodation, or arrange for the provision of accommodation, for a person under this section;
  - (b) whether or not to continue to provide accommodation, or arrange for the provision of accommodation, for a person under this section.
- (6) The regulations may, in particular—
- (a) provide for the continuation of the provision of accommodation for a person to be conditional upon his performance of or participation in community activities in accordance with arrangements made by the Secretary of State;
  - (b) provide for the continuation of the provision of accommodation to be subject to other conditions;
  - (c) provide for the provision of accommodation (or the continuation of the provision of accommodation) to be a matter for the Secretary of State’s discretion to a specified extent or in a specified class of case.
- (7) For the purposes of subsection (6)(a)—
- (a) “community activities” means activities that appear to the Secretary of State to be beneficial to the public or a section of the public, and
  - (b) the Secretary of State may, in particular—
    - (i) appoint one person to supervise or manage the performance of or participation in activities by another person;
    - (ii) enter into a contract (with a local authority or any other person) for the provision of services by way of making arrangements for community activities in accordance with this section;
    - (iii) pay, or arrange for the payment of, allowances to a person performing or participating in community activities in accordance with arrangements under this section.
- (8) Regulations by virtue of subsection (6)(a) may, in particular, provide for a condition requiring the performance of or participation in community activities to apply to a person only if the Secretary of State has made arrangements for community activities in an area that includes the place where accommodation is provided for the person.
- (9) A local authority or other person may undertake to manage or participate in arrangements for community activities in accordance with this section.]
- [<sup>F7</sup>(10) The Secretary of State may make regulations permitting a person who is provided with accommodation under this section to be supplied also with services or facilities of a specified kind.
- (11) Regulations under subsection (10)—
- (a) may, in particular, permit a person to be supplied with a voucher which may be exchanged for goods or services,
  - (b) may not permit a person to be supplied with money,
  - (c) may restrict the extent or value of services or facilities to be provided, and
  - (d) may confer a discretion.]]

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#### Textual Amendments

- F1** S. 4 heading substituted (7.11.2002) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), s. [49\(2\)](#) (with s. 159)

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- F2** S. 4 repealed (15.1.2018 for specified purposes) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 11 para. 1** (with Sch. 11 para. 46); S.I. 2017/1241, reg. 2(d)(i) (with Sch.) (as amended by S.I. 2018/31, reg. 2)
- F3** S. 4 renumbered (7.11.2002) as s. 4(1) by Nationality, Immigration and Asylum Act 2002 (c. 41), **s. 49(2)** (with s. 159)
- F4** S. 4(2)-(4) added (7.11.2002) by Nationality, Immigration and Asylum Act 2002 (c. 41), **s. 49(1)** (with s. 159)
- F5** Words in s. 4(2)(b) inserted (cond.) (28.6.2022) by Nationality and Borders Act 2022 (c. 36), **ss. 17(2), 87(1)**; S.I. 2022/590, regs. 1(2), 2, Sch. 1 para. 16
- F6** S. 4(5)-(9) added (1.12.2004) by Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), **ss. 10(1), 48(3)** (with s. 10(6)(7)); S.I. 2004/2999, art. 2, Sch.
- F7** S. 4(10)(11) added (16.6.2006) by Immigration, Asylum and Nationality Act 2006 (c. 13), **ss. 43(7), 62(1)(2)**; S.I. 2006/1497, art. 3, Sch.

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**Modifications etc. (not altering text)**

- C1** S. 4 restricted (8.1.2003) by Nationality, Immigration and Asylum Act 2002 (c. 41), **s. 55** (with s. 159); S.I. 2002/2811, **art. 2**, Sch.
- S. 4 restricted (prosp.) by Nationality, Immigration and Asylum Act 2002 (c. 41), **ss. 51, 162(1)** (with s. 159)

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**Changes and effects yet to be applied to :**

- s. 4 excluded by [2008 c. 4 s. 134\(5\)](#)
- s. 4 modified by [2002 c. 41 s. 23\(5\)](#)
- s. 4 restricted by [2002 c. 41 s. 51\(2\)\(b\)](#)
- s. 4(2)(b) words inserted by [2023 c. 37 s. 9\(2\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act excluded by [2024 c. 8 s. 2\(5\)\(a\)5](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(12) inserted by [2023 c. 37 s. 10\(6\)](#)
- s. 40(1)-(1C) substituted for s. 40(1) by [2022 c. 36 s. 76\(2\)](#)
- s. 40(4A)(4B) inserted by [2022 c. 36 s. 76\(5\)](#)
- s. 72(10) repealed by [2004 c. 19 Sch. 4](#)
- s. 94(2A)-(2C) inserted by [2016 c. 19 Sch. 11 para. 3\(3\)](#)
- s. 94(2D) inserted by [2016 c. 19 Sch. 11 para. 7\(4\)](#)
- s. 94(3)(3A) substituted for s. 94(3) by [2002 c. 41 s. 44\(4\)](#) (This amendment is repealed (prosp.) by [2016 c. 19, Sch. 11 para. 41](#))
- s. 94(3A)-(3D) inserted by [2016 c. 19 Sch. 11 para. 3\(5\)](#)
- s. 95A inserted by [2016 c. 19 Sch. 11 para. 9](#)
- s. 96(1A) inserted by [2016 c. 19 Sch. 11 para. 10\(3\)](#)
- s. 97(3A)(b)(iv) inserted by [2022 c. 36 s. 13\(2\)\(c\)\(ii\)](#)
- s. 97(8)(9) inserted by [2016 c. 19 Sch. 11 para. 11\(4\)](#)
- s. 98A inserted by [2016 c. 19 Sch. 11 para. 13](#)
- s. 98A(5) inserted by [2022 c. 36 s. 13\(4\)](#)
- s. 103(4)(a) words substituted by [2004 c. 19 s. 10\(4\)\(b\)](#)
- s. 103(5)(b) word substituted by [S.I. 2008/2833 Sch. 3 para. 183\(ii\)](#)
- s. 103A(1) words substituted by [2004 c. 19 s. 10\(5\)](#)
- s. 103A(1) heading words substituted by [2004 c. 19 s. 10\(5\)](#)
- s. 103A(1) words substituted by [S.I. 2008/2833 Sch. 3 para. 184](#)
- s. 125(2)(ba) inserted by [2016 c. 19 Sch. 11 para. 22\(3\)\(b\)](#)
- s. 146(2)(za) inserted by [2016 c. 19 s. 44\(9\)](#)
- s. 166(5)(ca) substituted for word in s. 166(5)(c) by [2016 c. 19 Sch. 11 para. 24\(2\)](#)
- s. 166(5A)(5B) inserted by [2016 c. 19 Sch. 11 para. 24\(3\)](#)
- s. 166(6)(aa) substituted for word in s. 166(6)(a) by [2016 c. 19 Sch. 11 para. 24\(4\)](#)
- Sch. 2 para. 21 modified by [2002 c. 41 s. 23\(2\)\(a\)](#)
- Sch. 3 para. 2(5) modified by [2002 c. 41 s. 23\(2\)\(b\)](#)