
EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument amends the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 ([S.I.2006/1294](#)) (“the 2006 Regulations”) to reflect changes to Appendix FM of the Immigration Rules, being the rules defined in those Regulations as the rules laid down as mentioned in section 3(2) of the Immigration Act 1971. The changes to Appendix FM rendered the application of provisions of the 2006 Regulations at regulations 3(b) and 5(1)(b) out of date. This instrument revokes regulation 5(1)(e) of the 2006 Regulations (and the supporting definitional paragraphs (2) and (3)), to remove provisions that are no longer required relating to certain categories of asylum seekers whose claims for asylum were made before 3 April 2000. It also makes clearer that the class of person described in regulation 3(e) of the 2006 Regulations may be referred to as “Class E”. Regulations 3 and 5 of the 2006 Regulations prescribe the classes of person subject to immigration control who are eligible for an allocation of housing accommodation and for housing assistance respectively.

An impact assessment has not been provided for this instrument as no impact on the private or voluntary sector is foreseen.