

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under sections 160ZA(2) and 185(2) of the Housing Act 1996 (c. 52) (“the 1996 Act”), a person who is subject to immigration control is ineligible for an allocation of housing or for housing assistance unless they come within a class of persons prescribed in regulations by the Secretary of State.

These Regulations amend the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 which make such provision.

The effect of the amendments made by regulations 3 and 4 is to prescribe an additional class of persons who are eligible for an allocation of housing or homelessness assistance under the 1996 Act. These persons are those who are habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and who have Calais leave to remain under paragraph 352J of the Immigration Rules. The expression ‘Calais leave’ is defined in the Immigration Rules at rule 352J.

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