

Status: Point in time view as at 24/07/1996.

Changes to legislation: There are currently no known outstanding effects for the Asylum and Immigration Act 1996, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 11(4).

MODIFICATIONS OF SOCIAL SECURITY REGULATIONS

PART I

SOCIAL SECURITY (PERSONS FROM ABROAD) MISCELLANEOUS AMENDMENTS REGULATIONS 1996

Preliminary

- 1 In this Part of this Schedule—
- (a) “the 1996 Regulations” means the^{M1} Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996; and
 - (b) expressions which are used in the 1996 Regulations have the same meanings as in those Regulations.

Marginal Citations

M1 S.I. 1996/30.

Income support

- 2 In regulation 8 of the 1996 Regulations (amendment of the Income Support Regulations)—
- (a) paragraph (2) so far as relating to the sub-paragraph added to regulation 21(3) of the Income Support Regulations as sub-paragraph (j); and
 - (b) paragraph (3)(c) and (d),
- shall have effect as if the 1996 Regulations had been made, and had come into force, on the day on which this Act is passed.

Housing benefit

- 3 In regulation 7 of the 1996 Regulations (amendment of regulation 7A of the Housing Benefit Regulations)—
- (a) paragraph (a) so far as relating to the sub-paragraph added to regulation 7A(4) of the Housing Benefit Regulations as sub-paragraph (g);

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- (b) paragraph (b) so far as relating to sub-paragraphs (a) and (b) of the paragraph substituted for regulation 7A(5) of those Regulations; and
 - (c) paragraph (c),
- shall have effect as if the 1996 Regulations had been made, and had come into force, on the day on which this Act is passed.

Council tax benefit

- 4 In regulation 3 of the 1996 Regulations (amendment of regulation 4A of the Council Tax Benefit Regulations)—
- (a) paragraph (a) so far as relating to the sub-paragraph added to regulation 4A(4) of the Council Tax Benefit Regulations as sub-paragraph (g);
 - (b) paragraph (b) so far as relating to sub-paragraphs (a) and (b) of the paragraph substituted for regulation 4A(5) of those Regulations; and
 - (c) paragraph (c),
- shall have effect as if the 1996 Regulations had been made, and had come into force, on the day on which this Act is passed.

General

- 5 Regulation 12(1) of the 1996 Regulations (saving) shall have effect as if after the words “shall continue to have effect” there were inserted the words “ (both as regards him and as regards persons who are members of his family at the coming into force of these Regulations) ”.
- 6 (1) Subject to sub-paragraph (2) below, any person who is excluded from entitlement to income support, housing benefit or council tax benefit by any of the provisions which are modified by the preceding provisions of this Part of this Schedule—
- (a) shall not be entitled to the benefit for any period beginning on or after the day on which this Act is passed; and
 - (b) shall not be entitled to the benefit for any period beginning on or after 5th February 1996 except on a claim made before the day on which this Act is passed, or an application made before that day for the review of a decision.
- (2) Nothing in this paragraph shall apply in any case where a person is entitled to the benefit in question either—
- (a) by virtue of regulation 12(1) of the 1996 Regulations (saving); or
 - (b) by virtue of regulations making such provision as is mentioned in section 11(2) of this Act.

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PART II

SOCIAL SECURITY (PERSONS FROM ABROAD) (MISCELLANEOUS AMENDMENTS) REGULATIONS (NORTHERN IRELAND) 1996

Preliminary

- 7 In this Part of this Schedule “the 1996 Regulations” means the ^{M2}Social Security (Persons from Abroad) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996.

Marginal Citations

M2 S.R. (N.I.) 1996 No. 11.

Income support

- 8 In regulation 4 of the 1996 Regulations (amendment of the Income Support (General) Regulations)—
- (a) paragraph (2) so far as relating to the paragraph added to regulation 21(3) of the ^{M3}Income Support (General) Regulations (Northern Ireland) 1987 as paragraph (j); and
 - (b) paragraph (3)(b),
- shall have effect as if the 1996 Regulations had been made, and had come into operation, on the day on which this Act is passed.

Marginal Citations

M3 S.R. (N.I.) 1987 No. 459.

Housing benefit

- 9 In regulation 5 of the 1996 Regulations (amendment of the Housing Benefit (General) Regulations)—
- (a) paragraph (a) so far as relating to the sub-paragraph added to regulation 7A(4) of the ^{M4}Housing Benefit (General) Regulations (Northern Ireland) 1987 as sub-paragraph (g);
 - (b) paragraph (b) so far as relating to sub-paragraphs (a) and (b) of the paragraph substituted for regulation 7A(5) of those Regulations; and
 - (c) paragraph (c),
- shall have effect as if the 1996 Regulations had been made, and had come into operation, on the day on which this Act is passed.

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Marginal Citations

M4 S.R. (N.I.) 1987 No. 461.

General

- 10 Regulation 11(1) of the 1996 Regulations (saving) shall have effect as if after the words “shall have effect” there were inserted the words “ (both as regards him and as regards persons who are members of his family at the coming into operation of these Regulations) ”.
- 11 (1) Subject to sub-paragraph (2) below, any person who is excluded from entitlement to income support or housing benefit by any of the provisions which are modified by the preceding provisions of this Part of this Schedule—
- (a) shall not be entitled to the benefit for any period beginning on or after the day on which this Act is passed; and
 - (b) shall not be entitled to the benefit for any period beginning on or after 5th February 1996 except on a claim made before the day on which this Act is passed, or an application made before that day for the review of a decision.
- (2) Nothing in this paragraph shall apply in any case where a person is entitled to the benefit in question either—
- (a) by virtue of regulation 11(1) of the 1996 Regulations (saving); or
 - (b) by virtue of regulations making such provision as is mentioned in section 11(2) of this Act.

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