

STATUTORY RULES OF NORTHERN IRELAND

2023 No. 79

HOUSING, NORTHERN IRELAND

**The Allocation of Housing and Homelessness (Eligibility)
(Amendment) Regulations (Northern Ireland) 2023**

<i>Made</i>	- - - -	<i>11th May 2023</i>
<i>Laid before Parliament</i>		<i>12th May 2023</i>
<i>Coming into operation</i>		<i>15th May 2023</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by Article 22A(3) of the Housing (Northern Ireland) Order 1981(1) and Article 7A(2) of the Housing (Northern Ireland) Order 1988(2).

Citation, commencement and extent **N.I.**

1.—(1) These Regulations may be cited as the Allocation of Housing and Homelessness (Eligibility) (Amendment) Regulations (Northern Ireland) 2023 and come into operation on 15th May 2023.

(2) These Regulations extend to Northern Ireland.

Commencement Information

II Reg. 1 in operation at 15.5.2023, see [reg. 1\(1\)](#)

Amendment of the Allocation of Housing and Homelessness (Eligibility) Regulations (Northern Ireland) 2006 **N.I.**

2.—(1) The Allocation of Housing and Homelessness (Eligibility) Regulations 2006 (Northern Ireland)(3) are amended as follows.

(2) In regulation 3(2) (persons from abroad who are ineligible for an allocation of housing accommodation), after sub-paragraph (1) insert—

- (1) [S.I. 1981/156 \(N.I. 3\)](#). Article 22A was inserted by Article 124(5) of [S.I. 2003/412 \(N.I. 2\)](#). Article 2(2) gives the meaning of “the Executive”.
- (2) [S.I. 1988/1990 \(N.I. 23\)](#). Article 7A was inserted by Article 137 of [S.I. 2003/412](#).
- (3) [S.R. 2006/397](#). Relevant amending instruments are [S.R. 2009 No. 161](#), [S.R. 2013 No. 189](#), [S.R. 2019 No. 86](#), [S.I. 2020/1309](#), [S.R. 2021 No. 254](#) and [S.R. 2022 No. 128](#).

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

(3) In regulation 4(2) (persons from abroad who are ineligible for housing assistance), after subparagraph (l) insert—

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

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Commencement Information

I2 Reg. 2 in operation at 15.5.2023, see **reg. 1(1)**

11th May 2023

Felicity Buchan
Parliamentary Under Secretary of State
Department for Levelling Up, Housing and
Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Allocation of Housing and Homelessness (Eligibility) Regulations (Northern Ireland) 2006 ([S.R. 2006/397](#)) to ensure that persons who were residing in Sudan before 15th April 2023, and who left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan, are exempt from the habitual residence test otherwise applicable in relation to eligibility for an allocation of housing accommodation and for housing assistance.

A full Regulatory Impact Assessment has not been prepared for this instrument because the impact on business is not likely to be significant.

Changes to legislation:

There are currently no known outstanding effects for the The Allocation of Housing and Homelessness (Eligibility) (Amendment) Regulations (Northern Ireland) 2023.