



Asylum and Immigration Act 1996

1996 CHAPTER 49

Persons subject to immigration control

11 Saving for social security regulations.

- (1) Notwithstanding any enactment or rule of law, regulations may exclude any person who has made a claim for asylum from entitlement to any of the following benefits, namely—
 - (a) income support, housing benefit and council tax benefit under the Social Security Contributions and Benefits Act 1992;
 - (b) income support and housing benefit under the Social Security Contributions and Benefits (Northern Ireland) Act 1992; and
 - (c) jobseeker's allowance under the ^{M1}Jobseekers Act 1995 or the ^{M2}Jobseekers (Northern Ireland) Order 1995.
- (2) Regulations may provide that, where such a person who is so excluded is subsequently recorded by the Secretary of State as a refugee within the meaning of the Convention—
 - (a) that person may, within a prescribed period, claim the whole or any prescribed proportion of any income support, housing benefit or council tax benefit to which he would have been entitled had he been recorded as a refugee immediately after he made the claim for asylum; and
 - (b) where he makes such a claim as is mentioned in paragraph (a) above in respect of housing benefit or council tax benefit having resided in the areas of two or more local authorities in Great Britain, the claim shall be investigated and determined, and any benefit awarded shall be paid or allowed, by such one of those authorities as may be prescribed.
- (3) Regulations making such provision as is mentioned in subsection (2)(b) above may require the other authorities there mentioned to supply the prescribed authority with such information as it may reasonably require in connection with the exercise of its functions under the regulations.
- (4) Schedule 1 to this Act—
 - (a) Part I of which modifies the ^{M3}Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996; and

Status: Point in time view as at 01/09/1996. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Asylum and Immigration Act 1996, Section 11. (See end of Document for details)

- (b) Part II of which modifies the ^{M4}Social Security (Persons from Abroad) (Miscellaneous Amendments) Regulations (Northern Ireland) 1996, shall have effect.
- (5) The ^{M5}Jobseeker's Allowance (Amendment) Regulations 1996 shall have effect as if they had been made on the day on which this Act is passed.
- (6) In this section—
- “claim for asylum” and “the Convention” have the same meanings as in the 1993 Act;
- “prescribed” means prescribed by regulations;
- “regulations”—
- (a) in relation to income support, housing benefit or council tax benefit under the ^{M6}Social Security Contributions and Benefits Act 1992, means regulations under that Act or the ^{M7}Social Security Administration Act 1992;
- (b) in relation to income support or housing benefit under the ^{M8}Social Security Contributions and Benefits (Northern Ireland) Act 1992, means regulations under that Act or the ^{M9}Social Security Administration (Northern Ireland) Act 1992;
- (c) in relation to jobseeker's allowance under the ^{M10}Jobseekers Act 1995, means regulations under that Act or the Social Security Administration Act 1992;
- (d) in relation to jobseeker's allowance under the ^{M11}Jobseekers (Northern Ireland) Order 1995, means regulations under that Order or the Social Security Administration (Northern Ireland) Act 1992.

Marginal Citations

- M1** 1995 c. 18.
M2 S.I. 1995/2705.
M3 S.I. 1996/30.
M4 S.R. (N.I.) 1996 No. 11.
M5 S.I. 1996/1516.
M6 1992 c. 4.
M7 1992 c. 5.
M8 1992 c. 7.
M9 1992 c. 8.
M10 1995 c. 18.
M11 S.I. 1995/2705.

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