

*Status: Point in time view as at 08/01/2003. This version of this provision has been superseded.*

*Changes to legislation: Nationality, Immigration and Asylum Act 2002, Paragraph 1 is up to date with all changes known to be in force on or before 31 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### WITHHOLDING AND WITHDRAWAL OF SUPPORT

##### *Ineligibility for support*

- 1 (1) A person to whom this paragraph applies shall not be eligible for support or assistance under—
  - (a) section 21 or 29 of the National Assistance Act 1948 (c. 29) (local authority: accommodation and welfare),
  - (b) section 45 of the Health Services and Public Health Act 1968 (c. 46) (local authority: welfare of elderly),
  - (c) section 12 or 13A of the Social Work (Scotland) Act 1968 (c. 49) (social welfare services),
  - (d) Article 7 or 15 of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)) (prevention of illness, social welfare, &c.),
  - (e) section 21 of and Schedule 8 to the National Health Service Act 1977 (c. 49) (social services),
  - (f) section 29(1)(b) of the Housing (Scotland) Act 1987 (c. 26) (interim duty to accommodate in case of apparent priority need where review of a local authority decision has been requested),
  - (g) section 17, 23C, 24A or 24B of the Children Act 1989 (c. 41) (welfare and other powers which can be exercised in relation to adults),
  - (h) Article 18, 35 or 36 of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)) (welfare and other powers which can be exercised in relation to adults),
  - (i) sections 22, 29 and 30 of the Children (Scotland) Act 1995 (c. 36) (provisions analogous to those mentioned in paragraph (g)),
  - (j) section 188(3) or 204(4) of the Housing Act 1996 (c. 52) (accommodation pending review or appeal),
  - (k) section 2 of the Local Government Act 2000 (c. 22) (promotion of well-being),
  - (l) a provision of the Immigration and Asylum Act 1999 (c. 33), or
  - (m) a provision of this Act.
- (2) A power or duty under a provision referred to in sub-paragraph (1) may not be exercised or performed in respect of a person to whom this paragraph applies (whether or not the person has previously been in receipt of support or assistance under the provision).
- (3) An approval or directions given under or in relation to a provision referred to in sub-paragraph (1) shall be taken to be subject to sub-paragraph (2).

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