

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 23 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) View outstanding changes

SCHEDULES

SCHEDULE 3 **U.K.**

WITHHOLDING AND WITHDRAWAL OF SUPPORT

Modifications etc. (not altering text)

- C1** Sch. 3 applied (with modifications) (25.2.2008) by [The Independent Police Complaints Commission \(Immigration and Asylum Enforcement Functions\) Regulations 2008 \(S.I. 2008/212\)](#), regs. 1, 5(b), **Sch. 2**
- C1** Sch. 3 applied (with modifications) (31.12.2020) by [The Citizens' Rights \(Application Deadline and Temporary Protection\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1209\)](#), regs. 1(1), **3(4)**, 4(5), 12(1)(k)

Ineligibility for support

- 1 (1) A person to whom this paragraph applies shall not be eligible for support or assistance under—
- ^{F1}(a)
 - ^{F2}(b)
 - (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.),
 - ^{F3}(e)
 - (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, [^{F4}23CZB,]^{F5}23CA,] 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),
 - ^{F6}(k)
 - ^{F7}(ka) section 1 of the Localism Act 2011 (local authority's general power of competence),]
 - (l) a provision of the Immigration and Asylum Act 1999 (c. 33), ^{F8}...
 - (m) a provision of this Act [^{F9}, ^{F10}...

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- (n) Part 1 of the Care Act 2014 (care and support provided by local authority)]^{F11} or
 - (o) Part 4 (duty of local authority to meet needs) or sections 105 to 116 (leaving care, accommodation and fostering) of the Social Services and Well-being (Wales) Act 2014.]
- (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).

Textual Amendments

- F1** Sch. 3 para. 1(1)(a) omitted (E.W.) (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(2)**
- F2** Sch. 3 para. 1(1)(b) omitted (E.W.) (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(2)**
- F3** Sch. 3 para. 1(1)(e) omitted (E.W.) (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(2)**
- F4** Word in Sch. 3 para. 1(1)(g) inserted (1.4.2018) by [Children and Social Work Act 2017 \(c. 16\)](#), s. 70(2), **Sch. 2 para. 5**; S.I. 2018/346, reg. 4(aa)
- F5** Word in Sch. 3 para. 1(1)(g) inserted (1.4.2011 for E., 19.6.2012 in so far as not already in force) by [Children and Young Persons Act 2008 \(c. 23\)](#), **ss. 22(6)**, 44(4); S.I. 2010/2981, art. 4(g); S.I. 2012/1553, art. 2(a)
- F6** Sch. 3 para. 1(1)(k) omitted (E.W.) (5.5.2022) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(7), **Sch. 3 para. 11(3)**; S.I. 2021/231, art. 6(r)
- F7** Sch. 3 para. 1(1)(ka) inserted (28.3.2012) by [The Localism Act 2011 \(Consequential Amendments\) Order 2012 \(S.I. 2012/961\)](#), art. 1(2), **Sch. 1 para. 4**
- F8** Word in Sch. 3 para. 1(1)(l) omitted (1.4.2015) by virtue of [The Care Act 2014 and Children and Families Act 2014 \(Consequential Amendments\) Order 2015 \(S.I. 2015/914\)](#), art. 1(2), **Sch. para. 67(3)** (with arts. 1(3), 3) (see S.I. 2015/993, art. 2(a))
- F9** Sch. 3 para. 1(1)(n) and word inserted (1.4.2015) by [The Care Act 2014 and Children and Families Act 2014 \(Consequential Amendments\) Order 2015 \(S.I. 2015/914\)](#), art. 1(2), **Sch. para. 67(4)** (with arts. 1(3), 3) (see S.I. 2015/993, art. 2(a))
- F10** Word in Sch. 3 para. 1(1)(m) omitted (E.W.) (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(3)**
- F11** Sch. 3 para. 1(1)(o) and word inserted (E.W.) (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(4)**

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Changes and effects yet to be applied to :

- Sch. 3 para. 1(1)(h) words substituted by 2016 c. 19 Sch. 12 para. 2(3)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by S.I. 2011/1043 art. 34

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(1)(1A) substituted for s. 18(1) by 2016 c. 19 Sch. 11 para. 31(2)
- s. 22A inserted by 2022 c. 36 s. 13(7)
- s. 27(ba) inserted by 2022 c. 36 s. 13(10)
- s. 51(2)(d) and word inserted by 2016 c. 19 Sch. 11 para. 26(6)
- s. 55(2)(aa) inserted by 2016 c. 19 Sch. 11 para. 26(7)
- s. 62(3A) inserted by 2023 c. 37 s. 11(8)
- s. 80A(5A) inserted by 2023 c. 37 s. 10(8)
- s. 82A inserted by 2022 c. 36 s. 23(1)
- s. 94(6B) inserted by 2006 c. 13 s. 13
- s. 106(2)(ua) inserted by 2007 c. 30 s. 19(3)
- s. 107(2A) inserted by 2022 c. 36 Sch. 3 para. 5(a)
- s. 126(2A) inserted by S.I. 2019/745 reg. 12(3)(b) (This amendment not applied to legislation.gov.uk. Reg. 12(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- Sch. 3 para. 1(1)(ga) inserted by 2016 c. 19 Sch. 12 para. 2(2) (This Act is amended by S.I. 2020/1309, Sch. 1 para. 3(a))
- Sch. 3 para. 1(2A) inserted by 2016 c. 19 Sch. 12 para. 2(4) (This Act is amended by S.I. 2020/1309, Sch. 1 para. 3(b))
- Sch. 3 para. 1A inserted by 2016 c. 19 Sch. 12 para. 3
- Sch. 3 para. 2(1)(ca) inserted by 2016 c. 19 Sch. 12 para. 4(3)
- Sch. 3 para. 2A inserted by 2016 c. 19 Sch. 12 para. 5
- Sch. 3 para. 3A-3C inserted by 2016 c. 19 Sch. 12 para. 6
- Sch. 3 para. 7B7C and cross-headings inserted by 2016 c. 19 Sch. 12 para. 9
- Sch. 3 para. 10A10B inserted by 2016 c. 19 Sch. 12 para. 10 (This Act is amended by S.I. 2020/1309, Sch. 1 para. 3(c))
- Sch. 3 para. 15(aa) inserted by 2016 c. 19 Sch. 12 para. 14(2)
- Sch. 3 para. 15(d)-(f) inserted by 2016 c. 19 Sch. 12 para. 14(4)
- Sch. 3 para. 7C(1)(c) word substituted by S.I. 2019/745 reg. 12(5)(d) (This amendment not applied to legislation.gov.uk. Reg. 12(5)(a)(c)(d) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- Sch. 5 para. 3(1) Sch. 5 para. 3 renumbered as Sch. 5 para. 3(1) by 2005 c. 4 Sch. 4 para. 407(2) (This amendment not applied to legislation.gov.uk. The "original amending provision" is already fully in force, see Sch. 4 paras. 361, 407(5))
- Sch. 5 para. 3(2)-(4) inserted by 2005 c. 4 Sch. 4 para. 407(4) (This amendment not applied to legislation.gov.uk. The "original amending provision" is already fully in force, see Sch. 4 paras. 361, 407(5))

- Sch. 5 para. 3(1) words inserted by [2005 c. 4 Sch. 4 para. 407\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). The "original amending provision" is already fully in force, see Sch. 4 paras. 361, 407(5))