
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact with changes the Allocation of Housing Regulations 1996 in so far as they extend to England. These Regulations extend to England only.

Regulation 3 makes provision for cases where allocations of housing accommodation by local housing authorities are not subject to Part VI of the Housing Act 1996. Regulations 4 and 5 prescribe classes of persons who qualify, and regulation 6 prescribes a class of persons who do not qualify, to be allocated housing under that Part. Regulation 7 prescribes the information which must be contained in an authority's housing register. Regulation 8 prescribes what an authority must do before exercising their discretion to remove someone from their register. Regulation 9 revokes the Allocation of Housing Regulations 1996 and regulations which amended those Regulations.

These Regulations contain similar provisions to those in the Allocation of Housing Regulations 1996. The main change is as follows. The class of persons subject to immigration control, who are eligible for housing assistance because they are nationals of states which are signatories to the European Convention on Social and Medical Assistance or the European Social Charter, has been amended. It is limited to nationals of states which have ratified that Convention or that Charter. This change does not apply to a person who is a national of a state which is a signatory to that Convention or that Charter and who was owed a duty under Part III of the Housing Act 1985 or Part VII of the Housing Act 1996 before 3rd April 2000 which is extant (regulation 4(e) (Class E)).

There are other minor and drafting changes.

Command Papers 2643, 3906, 9171 and 9512, referred to in these Regulations, are out of print but photocopies of these documents can be obtained by The Stationery Office from the British Lending Library Division (BLLD). Customers, unless already registered with BLLD, should order photocopies from The Photocopying Unit, The Stationery Office, Nine Elms Lane, London SW8 5DR, enclosing the appropriate payment for the copies required. The current cost of each complete copy of Command Paper 2643, 3906 or 9512 is £6.00 and the current cost of each complete copy of Command Paper 9171 is £12.00. Cheques should be made payable to "The Stationery Office".