
STATUTORY INSTRUMENTS

2000 No. 979

SOCIAL SECURITY

**The Income-related Benefits and Jobseeker's
Allowance (Amendment) Regulations 2000**

<i>Made</i>	- - - -	<i>4th April 2000</i>
<i>Laid before Parliament</i>		<i>10th April 2000</i>
<i>Coming into force</i>	- -	<i>2nd May 2000</i>

The Secretary of State for Social Security, in exercise of the powers conferred upon him in sections 123(1)(a), (d) and (e), 135(1) and (2), 137(1) and (2) and 175(1) and (3) of the Social Security Contributions and Benefits Act 1992(1), sections 4(5) and (12), 35(1) and 36(2) and (4) of, and paragraph 11 of Schedule 1 to, the Jobseekers Act 1995(2) and of all other powers enabling him in that behalf, and after consultation, in respect of provisions in these Regulations relating to housing benefit and council tax benefit, with organisations appearing to him to be representative of the authorities concerned(3) and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(4), by this Instrument hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Income-related Benefits and Jobseeker's Allowance (Amendment) Regulations 2000 and shall come into force on 2nd May 2000.

Amendment of regulation 21 of the Income Support (General) Regulations 1987

2. In regulation 21(3) of the Income Support (General) Regulations 1987(5) at the end of the definition of "person from abroad" there shall be added the following words—

“; or

(d) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act and who is in the United Kingdom

(1) 1992 c. 4. Section 123(1)(e) was substituted by the Local Government Finance Act 1992 (c. 14). Section 137(1) is cited because of the meaning given to the word "prescribed".
(2) 1995 c. 18. Section 35(1) is cited because of the meaning given to the words "prescribed" and "regulations".
(3) See section 176(1)(a) of the Social Security Administration Act 1992 (c. 5).
(4) See section 173(1)(b) of the Social Security Administration Act 1992 (c. 5).
(5) S.I. 1987/1967. The definition of "person from abroad" was inserted by S.I. 1994/1807 and amended by S.I. 1996/1944, S.I. 1998/563 and S.I. 2000/636.

as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;”.

Amendment of regulation 85 of the Jobseeker’s Allowance Regulations 1996

3. In regulation 85(4) of the Jobseeker’s Allowance Regulations 1996(6) at the end of the definition of “person from abroad” there shall be added the following words—

“; or

- (d) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;”.

Amendment of regulation 7A of the Housing Benefit (General) Regulations 1987

4. In regulation 7A(4) of the Housing Benefit (General) Regulations 1987(7) at the end of sub-paragraph (e) there shall be added the following words—

“; or

- (vii) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;”.

Amendment of regulation 4A of the Council Tax Benefit (General) Regulations 1992

5. In regulation 4A(4) of the Council Tax Benefit (General) Regulations 1992(8) at the end of sub-paragraph (e) there shall be added the following words—

“; or

- (vii) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom;”.

Signed by authority of the Secretary of State for Social Security.

4th April 2000

Hugh Bayley
Parliamentary Under-Secretary of State,
Department of Social Security

(6) S.I. 1996/207. The definition of “person from abroad” was amended by S.I. 1996/1516, S.I. 1998/563 and S.I. 2000/636.

(7) S.I. 1987/1971. Regulation 7A was inserted by regulation 3(2) of S.I. 1994/470.

(8) S.I. 1992/1814. Regulation 4A was inserted by regulation 2(2) of S.I. 1994/470.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Income Support (General) Regulations 1987 (S.I. [1987/1967](#)); the Jobseeker's Allowance Regulations 1996 (S.I. [1996/207](#)); the Housing Benefit (General) Regulations 1987 (S.I. [1987/1971](#)) and the Council Tax Benefit (General) Regulations 1992 (S.I. [1992/1814](#)).

In particular, these Regulations amend the definition of "person from abroad" in each of the Regulations amended. They extend the categories of persons who are excluded from being treated as not habitually resident in the United Kingdom to cover persons who have been deported, expelled or otherwise removed by compulsion of law from another country to the United Kingdom.

These Regulations do not impose any charge on business.