
STATUTORY INSTRUMENTS

2016 No. 965

**The Allocation of Housing and Homelessness
(Eligibility) (England) (Amendment) Regulations 2016**

Amendment of the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006

2.—(1) The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation) at the appropriate place insert—

““the Human Rights Convention” means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950 as it has effect for the time being in relation to the United Kingdom;”.

(3) In regulation 3 (persons subject to immigration control who are eligible for an allocation of housing accommodation)—

(a) in paragraph (d) at the end omit “and”;

(b) in paragraph (e)—

(i) at the beginning insert “Class E -”;

(ii) at the end for “.” substitute “; and”; and

(c) after paragraph (e) insert—

“(f) Class F – a person who has limited leave to enter or remain in the United Kingdom on family or private life grounds under Article 8 of the Human Rights Convention, such leave granted—

(i) under paragraph 276BE(1), paragraph 276DG or Appendix FM of the Immigration Rules⁽²⁾, and

(ii) who is not subject to a condition requiring that person to maintain and accommodate himself, and any person dependent upon him, without recourse to public funds.”.

(4) In regulation 5 (persons subject to immigration control who are eligible for housing assistance)

(a) omit paragraph (1)(e);

(b) in paragraph (1)(f) at the end for “.” substitute “; and”;

(c) after paragraph (1)(f) insert—

“(g) Class G – a person who has limited leave to enter or remain in the United Kingdom on family or private life grounds under Article 8 of the Human Rights Convention, such leave granted—

(i) under paragraph 276BE(1), paragraph 276DG or Appendix FM of the Immigration Rules, and

(1) [S.I. 2006/1294](#), amended by [S.I. 2006/2007](#), [2006/2527](#), [2006/3340](#), [2013/1467](#) and [2014/435](#).

(2) Rules laid down as mentioned in section 3(2) of the Immigration Act 1971.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) who is not subject to a condition requiring that person to maintain and accommodate himself, and any person dependent upon him, without recourse to public funds.”; and
- (d) omit paragraphs (2) and (3).