

**2006 No. 1294**  
**HOUSING, ENGLAND**

**The Allocation of Housing and Homelessness (Eligibility) (England)  
Regulations 2006**

*Made - - - 11th May 2006*  
*Laid before Parliament 11th May 2006*  
*Coming into force - - 1st June 2006*

[As amended by S.I. Nos. 2006/2527; 2012/2588; 2013/1467; 2014/435, 2016/965, 2018/730, 2019/861, 2020/667, 2020/1309, 2021/665, 2021/1045, 2022/339, 2022/601, 2022/626, 2022/1371, 2023/530, 2023/1142 and 2024/647<sup>1</sup>]

The Secretary of State, in exercise of the powers conferred by sections 160A(3) and (5), 172(4), 185(2) and (3) and 215(2) of the Housing Act 1996 makes the following Regulations:

**Citation, commencement and application**

**1.**—(1) These Regulations may be cited as the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 and shall come into force on 1st June 2006.

(2) These Regulations apply to England only.

**Interpretation**

**2.**—(1) In these Regulations—

“the 1996 Act” means the Housing Act 1996;

▶<sup>2</sup>◀  
▶<sup>3</sup>◀  
▶<sup>4</sup>◀

“the EEA Regulations” means the ▶<sup>5</sup>Immigration (European Economic Area) Regulations 2016 and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020(Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020◀;

▶<sup>6</sup>“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;◀

“the Immigration Rules” means the rules laid down as mentioned in section 3(2) of the Immigration Act 1971 (general provisions for regulation and control);

“the Refugee Convention” means the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967; ▶<sup>7</sup>◀

▶<sup>8</sup> “relevant person of Northern Ireland” means a person who—

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<sup>1</sup> Amendments also made by S.I. Nos.: 2006/2007; 2006/3340; 2009/358 and 2012/1809, but none surviving subsequent amendments.

<sup>2</sup> Definition “the Accession Regulations 2004” omitted by S.I. 2013/1467 reg. 2(2)(a) from 01/07/2013.

<sup>3</sup> Definition “the Accession Regulations 2006” omitted by S.I. 2014/435 reg. 2(2)(a) from 31/03/2014.

<sup>4</sup> Definition “the Accession Regulations 2013” omitted by S.I. 2024/647 reg. 2(2) from 07/06/2024.

<sup>5</sup> Definition substituted by S.I. 2020/1309 reg. 71(2)(a) from 01/01/2021.

<sup>6</sup> Definition inserted by S.I. 2016/965 reg. 2(2) from 30/10/2016.

<sup>7</sup> Word omitted by S.I. 2020/667 reg. 3(a) from 24/08/2020.

<sup>8</sup> Definition inserted by S.I. 2020/667 reg. 3(b) from 24/08/2020.

- (a) is—
  - (i) a British citizen;
  - (ii) an Irish citizen; or
  - (iii) a British citizen and an Irish citizen; and
- (b) was born in Northern Ireland and, at the time of the person's birth, at least one of their parents was—
  - (i) a British citizen;
  - (ii) an Irish citizen;
  - (iii) a British citizen and an Irish citizen; or
  - (iv) otherwise entitled to reside in Northern Ireland without any restriction on their period of residence; and

“sponsor” means a person who has given an undertaking in writing for the purposes of the Immigration Rules to be responsible for the maintenance and accommodation of another person.

(2) For the purposes of these Regulations—

- (a) “jobseeker”, “self-employed person”, and “worker” have the same meaning as for the purposes of the definition of a ‘qualified person’ in regulation 6(1) of the EEA Regulations; and
- <sup>9</sup>(ab) frontier worker” means a person who is a frontier worker within the meaning of regulation 3 of the Citizens’ Rights (Frontier Workers) (EU Exit) Regulations 2020;◄
- (b) subject to paragraph (3), references to the family member of a jobseeker, self-employed person ►<sup>10</sup>worker or frontier worker◄ shall be construed in accordance with regulation 7 of ►<sup>11</sup>the EEA Regulations◄.

(3) For the purposes of regulations 4(2)(d)►<sup>12</sup> and (k)◄ and 6(2)(d)►<sup>13</sup> and (k)◄ “family member” does not include a person who is treated as a family member by virtue of regulation 7(3) of the EEA Regulations.

►<sup>14</sup>◄

### **Persons subject to immigration control who are eligible for an allocation of housing accommodation**

**3.** The following classes of persons subject to immigration control are persons who are eligible for an allocation of housing accommodation under Part 6 of the 1996 Act—

- (a) Class A – a person who is recorded by the Secretary of State as a refugee within the definition in Article 1 of the Refugee Convention and who has leave to enter or remain in the United Kingdom;
- (b) Class B – a person—
  - (i) who has exceptional leave to enter or remain in the United Kingdom granted outside the provisions of the Immigration Rules; and
  - (ii) who is not subject to a condition requiring him to maintain and accommodate himself, and any person who is dependent on him, without recourse to public funds;
- (c) Class C – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and whose leave to enter or remain in the United Kingdom is not subject to any limitation or condition, other than a person—
  - (i) who has been given leave to enter or remain in the United Kingdom upon an undertaking given by his sponsor;
  - (ii) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which his sponsor gave the undertaking in respect of him, whichever date is the later; and
  - (iii) whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive; ►<sup>15</sup>◄

<sup>9</sup> Sub-paragraph (ab) inserted by S.I. 2020/1309 reg. 71(2)(b) from 01/01/2021.

<sup>10</sup> Words substituted by S.I. 2020/1309 reg. 71(2)(c)(i) from 01/01/2021.

<sup>11</sup> Words substituted by S.I. 2020/1309 reg. 71(2)(c)(ii) from 01/01/2021.

<sup>12</sup> Words inserted by S.I. 2020/1309 reg. 71(2)(d) from 01/01/2021.

<sup>13</sup> Words inserted by S.I. 2020/1309 reg. 71(2)(d) from 01/01/2021.

<sup>14</sup> Paragraph (4) omitted by S.I. 2014/435 reg. 2(2)(b) from 31/03/2014.

<sup>15</sup> Words omitted by S.I. 2014/435 reg. 2(3)(a) from 31/03/2014.

- <sup>16</sup>(d) Class D – a person who has humanitarian protection granted under the Immigration Rules◀►<sup>17</sup>;  
 ►<sup>18</sup>◀◀  
 ►<sup>19</sup>◀
- <sup>20</sup>(f) Class F – a person—
- (i) 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 that is granted under paragraph 276BE(1), paragraph 276DG or Appendix FM of the Immigration Rules(1); and
  - (ii) who is not subject to a condition requiring the person to maintain and accommodate himself, and any person dependent upon him, without recourse to public funds;◀
- <sup>21</sup>(g) Class G – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and who has been transferred to the United Kingdom under section 67 of the Immigration Act 2016 and has limited leave to remain under paragraph 352ZH of the Immigration Rules; ►<sup>22</sup>◀◀
- <sup>23</sup>(h) Class H – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and has Calais leave to remain under paragraph 352J of the Immigration Rules►<sup>24</sup>◀
- <sup>25</sup>(i) Class I – a person (P) who has limited leave to enter or remain in the United Kingdom by virtue of Appendix EU of the Immigration Rules in circumstances where—
- (i) P is a family member of a relevant person of Northern Ireland (“RP”) in accordance with those rules; and
  - (ii) P would have been considered eligible under regulation 4(2)(d) if RP were a person specified in regulation 4(2)(a) to (c); ►<sup>26</sup>◀
- (j) Class J – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and who has limited leave to remain in the United Kingdom as a stateless person under paragraph 405 of the Immigration Rules◀►<sup>27</sup>; ►<sup>28</sup>◀
- (k) Class K – a person (P)—
- (i) who has limited leave to enter or remain in the United Kingdom by virtue of Appendix Hong Kong British National (Overseas) of the Immigration Rules; and
  - (ii) whose leave to enter or remain is not subject to a condition requiring P to maintain and accommodate P, and any person dependent upon P, without recourse to public funds; and
  - (iii) who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.◀
- <sup>29</sup>(l) Class L – a person—
- (i) who is granted leave to enter or remain in the United Kingdom in accordance with the Immigration Rules, where such leave is granted by virtue of—
    - (aa) the Afghan Relocations and Assistance Policy; or
    - (bb) the previous scheme for locally-employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme); or

<sup>16</sup> Sub-paragraph (d) substituted by S.I. 2006/2527 reg. 2(2) from 09/10/2006.

<sup>17</sup> Semi-colon and word substituted for full stop by S.I. 2014/435 reg. 2(3)(b) from 31/03/2014.

<sup>18</sup> Word omitted by S.I. 2016/965 reg. 2(3)(a) from 30/10/2016.

<sup>19</sup> Sub-paragraph (e) omitted by S.I. 2021/1045 reg. 2(2)(a) from 16/09/2021.

<sup>20</sup> Sub-paragraph (f) substituted by S.I. 2020/667 reg. 4(a) from 24/08/2020.

<sup>21</sup> Sub-paragraph (g) inserted by S.I. 2018/730 reg. 2(2)(c) from 09/07/2018.

<sup>22</sup> Word omitted by S.I. 2020/667 reg. 4(b) from 24/08/2020.

<sup>23</sup> Sub-paragraph (h) inserted by S.I. 2018/1056 reg. 3(c) from 01/11/2018.

<sup>24</sup> Full stop substituted by S.I. 2020/667 reg. 4(c) from 24/08/2020.

<sup>25</sup> Sub-paragraphs (i) and (j) inserted by S.I. 2020/667 reg. 3(d) from 24/08/2020.

<sup>26</sup> Word omitted by S.I. 2021/665 reg. 4(a) from 29/06/2021.

<sup>27</sup> Sub-paragraph (k) inserted by S.I. 2021/665 reg. 4(b) from 29/06/2021.

<sup>28</sup> Word omitted by S.I. 2021/1045 reg. 2(2)(b) from 16/09/2021.

<sup>29</sup> Sub-paragraph (l) inserted by S.I. 2021/1045 reg. 2(2)(c) from 16/09/2021.

- (ii) with leave to enter or remain in the United Kingdom not coming within sub-paragraph (i), who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021, but excluding a person (P)—
  - (aa) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds; or
  - (bb) who has been given leave to enter or remain in the United Kingdom upon an undertaking given by P's sponsor and has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P's sponsor gave the undertaking in respect of P, whichever date is the later, and whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive. ◀
- ▶<sup>30</sup>(m) Class M – a person in the United Kingdom who—
  - (i) was residing in Ukraine immediately before 1st January 2022;
  - (ii) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
  - (iii) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971(2),
 but excluding a person (P) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds. ◀
- ▶<sup>31</sup>(n) Class N – a person in the United Kingdom who has limited leave to remain granted in accordance with Appendix Ukraine Scheme of the Immigration Rules pursuant to an application made by that person from within the United Kingdom, but excluding a person (P) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds. ◀
- ▶<sup>32</sup>(o) Class O – a person who has limited leave to remain granted in accordance with Appendix Temporary Permission to Stay for Victims of Human Trafficking or Slavery of the Immigration Rules. ◀
- ▶<sup>33</sup>(p) Class P — a person who—
  - (i) was residing in Sudan before 15th April 2023;
  - (ii) left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan;
  - (iii) has leave to enter or remain in the United Kingdom given in accordance with the Immigration Rules;
  - (iv) is not a person whose leave is subject to a condition requiring that person to maintain and accommodate themselves, and any person who is dependent on that person, without recourse to public funds; and
  - (v) is not a person (“P”)—
    - (aa) who has been given leave upon an undertaking given by P's sponsor;
    - (bb) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P's sponsor gave the undertaking in respect of P, whichever date is later; and
    - (cc) whose sponsor, or where there is more than one sponsor, at least one of whose sponsors, is still alive. ◀
- ▶<sup>34</sup>(q) Class Q — a person who—
  - (i) was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7th October 2023;

<sup>30</sup> Sub-paragraph (m) inserted by S.I. 2022/339 reg. 2(2) from 22/03/2022.

<sup>31</sup> Sub-paragraph (n) inserted by S.I. 2022/601 reg. 2(2) and S.I. 2022/626 reg. 2 from 10/06/2022.

<sup>32</sup> Sub-paragraph (o) inserted by S.I. 2022/1371 reg. 2(2) from 30/01/2023.

<sup>33</sup> Sub-paragraph (p) inserted by S.I. 2023/530 reg. 2(2) from 15/05/2023.

<sup>34</sup> Sub-paragraph (q) inserted by S.I. 2023/1142 reg. 2(2) from 27/10/2023.

- (ii) left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack;
  - (iii) has leave to enter or remain in the United Kingdom given in accordance with the Immigration Rules;
  - (iv) is not a person whose leave is subject to a condition requiring that person to maintain and accommodate themselves, and any person who is dependent on that person, without recourse to public funds; and
  - (v) is not a person (“P”)—
    - (aa) who has been given leave upon an undertaking given by P’s sponsor;
    - (bb) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P’s sponsor gave the undertaking in respect of P, whichever date is later; and
    - (cc) whose sponsor, or where there is more than one sponsor, at least one of whose sponsors, is still alive. ◀
- <sup>35</sup>(r) Class R — a person (P) who has indefinite leave to enter the United Kingdom by virtue of Appendix Victim of Domestic Abuse of the Immigration Rules in circumstances where P is a victim of transnational marriage abandonment;
- (s) Class S— a person who has limited leave to enter or limited leave to remain in the United Kingdom and who, after making a change of conditions application, has had their no recourse to public funds condition lifted by the Home Office in accordance with section 3(1)(c)(ii) of the Immigration Act 1971, and is not a person within Class F or Class K in this regulation. ◀

#### **Other persons from abroad who are ineligible for an allocation of housing accommodation**

**4.—**(1) A person who is not subject to immigration control is to be treated as a person from abroad who is ineligible for an allocation of housing accommodation under Part 6 of the 1996 Act if—

- (a) subject to paragraph (2), he is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland;
- (b) his only right to reside in the United Kingdom—
  - (i) is derived from his status as a jobseeker or the family member of a jobseeker; or
  - (ii) is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations; or
  - <sup>36</sup>(iii) is a derivative right to reside to which he is entitled under ►<sup>37</sup> regulation 16(1)◀ of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in ►<sup>38</sup> regulation 16(5)◀ of those Regulations; or
- <sup>39</sup>◀
- <sup>40</sup>(c) his only right to reside in the Channel Islands, the Isle of Man or the Republic of Ireland is a right equivalent to one of those mentioned in sub-paragraph (b)(i), (ii) or (iii) ◀
- <sup>41</sup>(1A) For the purposes of determining whether the only right to reside that a person has is of the kind mentioned in paragraph (1)(b) or (c), a right to reside by virtue of having been granted ►<sup>42</sup>—
  - (a) limited leave to enter or remain in the United Kingdom under the Immigration Act 1971 by virtue of Appendix EU to the immigration rules made under section 3(2) of that Act; or
  - (b) leave to enter the United Kingdom by virtue of an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act
 is to be disregarded. ◀◀

<sup>35</sup> Sub-paragraphs (r) and (s) inserted by S.I. 2024/647 reg. 2(3) from 07/06/2024.

<sup>36</sup> Sub-paragraphs (b)(iii) and (iv) inserted by S.I. 2012/2588 reg. 2(2) from 08/11/2012.

<sup>37</sup> Words substituted by S.I. 2020/1309 reg. 71(3)(a) from 01/01/2021.

<sup>38</sup> Words substituted by S.I. 2020/1309 reg. 71(3)(b) from 01/01/2021.

<sup>39</sup> Paragraph (1)(b)(iv) omitted by S.I. 2020/1309 reg. 71(3)(c) from 01/01/2021.

<sup>40</sup> Paragraph (1)(c) substituted by S.I. 2020/1309 reg. 71(3)(d) from 01/01/2021.

<sup>41</sup> Paragraph (1A) inserted by S.I. 2019/861 reg. 3(a) from 07/05/2019

<sup>42</sup> Words substituted by S.I. 2020/1372 reg. 20(2) from 01/01/2021.

(2) The following are not to be treated as persons from abroad who are ineligible for an allocation of housing accommodation pursuant to paragraph (1)(a)—

- (a) a worker;
- (b) a self-employed person;
- <sup>43</sup>◄
- (d) a person who is the family member of a person specified in sub-paragraphs (a)-(c);
- (e) a person with a right to reside permanently in the United Kingdom by virtue of regulation ►<sup>44</sup>15(1)(c)◄, (d) or (e) of the EEA Regulations; ►<sup>45</sup>and◄
- <sup>46</sup>◄
- (g) a person 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►<sup>47</sup>.◄
- <sup>48</sup>◄
- <sup>49</sup>◄
- <sup>50</sup>(j) a frontier worker; ►<sup>51</sup>◄
- (k) a person who—
  - (i) is a family member of a person specified in sub-paragraph (j); and
  - (ii) has a right to reside by virtue of having been granted limited leave to enter or remain in the United Kingdom under the Immigration Act 1971 by virtue of Appendix EU to the immigration rules made under section 3 of that Act.◄
- <sup>52</sup>(l) a person who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021.◄
- <sup>53</sup>(m) a person who was residing in Ukraine immediately before 1st January 2022 and who left Ukraine in connection with the Russian invasion which took place on 24th February 2022.◄
- <sup>54</sup>(n) a person who was residing in Sudan before 15th April 2023 and left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan.◄
- <sup>55</sup>(o) a person who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7th October 2023 and who left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack.◄

### Persons subject to immigration control who are eligible for housing assistance

5.—(1) The following classes of persons subject to immigration control are persons who are eligible for housing assistance under Part 7 of the 1996 Act—

- (a) Class A – a person who is recorded by the Secretary of State as a refugee within the definition in Article 1 of the Refugee Convention and who has leave to enter or remain in the United Kingdom;
- (b) Class B – a person—
  - who has exceptional leave to enter or remain in the United Kingdom granted outside the provisions of the Immigration Rules; and

<sup>43</sup> Sub-paragraph (2)(c) omitted by S.I. 2024/647 reg. 2(4) from 07/06/2024.

<sup>44</sup> Word substituted S.I. 2019/861 reg. 3(b) from 07/05/2019

<sup>45</sup> Word inserted S.I. 2014/435 reg. 2(4)(b) from 31/03/2014.

<sup>46</sup> Sub-paragraph (2)(f) omitted by S.I. 2014/435 reg. 2(6)(c) from 31/03/2014.

<sup>47</sup> Full stop substituted for semi-colon by S.I. by 2014/435 reg. 2(6)(d) from 31/03/2014.

<sup>48</sup> Sub-paragraph (2)(h) omitted by S.I. by 2014/435 reg. 2(6)(c) from 31/03/2014.

<sup>49</sup> Sub-paragraph (2)(i) omitted by S.I. by 2014/435 reg. 2(6)(c) from 31/03/2014.

<sup>50</sup> Sub-paragraphs (2)(j),(k) inserted by S.I. 2020/1309 reg. 71(3)(e) from 01/01/2021.

<sup>51</sup> Word omitted by S.I. by 2021/1045 reg. 2(3)(a) from 16/09/2021.

<sup>52</sup> Sub-paragraph (2)(l) inserted by S.I. 2021/1045 reg. 2(3)(b) from 16/09/2021.

<sup>53</sup> Sub-paragraph (2)(m) inserted by S.I. 2022/339 reg. 2(3) from 22/03/2022.

<sup>54</sup> Sub-paragraph (2)(n) inserted by S.I. 2023/530 reg. 2(3) from 15/05/2023.

<sup>55</sup> Sub-paragraph (2)(o) inserted by S.I. 2023/1142 reg. 2(3) from 27/10/2023.



- whose leave to enter or remain is not subject to a condition requiring him to maintain and accommodate himself, and any person who is dependent on him, without recourse to public funds;
- (c) Class C – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and whose leave to enter or remain in the United Kingdom is not subject to any limitation or condition, other than a person—
- who has been given leave to enter or remain in the United Kingdom upon an undertaking given by his sponsor;
  - who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which his sponsor gave the undertaking in respect of him, whichever date is the later; and
  - whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive;
- <sup>56</sup>(d) Class D – a person who has humanitarian protection granted under the Immigration Rules;◀<sup>57</sup>◀
- <sup>58</sup>◀
- <sup>59</sup>◀
- <sup>60</sup>(g) Class G – a person►<sup>61</sup>◀—
- (i) ►<sup>62</sup> 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 that is granted under paragraph 276BE(1), paragraph 276DG or Appendix FM of the Immigration Rules(1); and
  - (ii) who is not subject to a condition requiring the person to maintain and accommodate himself, and any person dependent upon him, without recourse to public funds;◀
- <sup>63</sup>(h) Class H – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and who has been transferred to the United Kingdom under section 67 of the Immigration Act 2016 and has limited leave to remain under paragraph 352ZH of the Immigration Rules►<sup>64</sup>;◀►<sup>65</sup>◀
- <sup>66</sup>(i) Class I – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and has Calais leave to remain under paragraph 352J of the Immigration Rules►<sup>67</sup>;◀
- <sup>68</sup>(j) Class J – a person (P) who has limited leave to enter or remain in the United Kingdom by virtue of Appendix EU of the Immigration Rules in circumstances where—
- P is a family member of a relevant person of Northern Ireland (“RP”) in accordance with those rules; and
  - P would have been considered eligible under regulation 6(2)(d) if RP were a person specified in regulation 6(2)(a) to (c); ►<sup>69</sup>◀
- (k) Class K – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and who has limited leave to remain in the United Kingdom as a stateless person under paragraph 405 of the Immigration Rules◀<sup>70</sup>; ►<sup>71</sup>◀
- (l) Class L – a person (P)—

<sup>56</sup> Sub-paragraph (1)(d) substituted by S.I. 2006/2527 reg. 2(3) from 09/10/2006.

<sup>57</sup> Word omitted by omitted by S.I. 2014/435 reg. 2(5)(a) from 31/03/2014.

<sup>58</sup> Sub-paragraph (1)(e) omitted by S.I. 2016/965 reg. 2(4)(a) from 30/10/2016.

<sup>59</sup> Sub-paragraph (1)(f) omitted by S.I. 2021/1045 reg. 2(a) from 16/09/2021.

<sup>60</sup> Sub-paragraph (g) substituted by S.I. 2020/667 reg. 5(a) from 24/08/2020.

<sup>61</sup> Word omitted by S.I. 2021/665 reg. 5(a) from 29/06/2021.

<sup>62</sup> Word inserted by S.I. 2021/665 reg. 5(a) from 29/06/2021.

<sup>63</sup> Sub-paragraph (h) inserted by S.I. 2018/730 reg. 2(3)(c) from 09/07/2018.

<sup>64</sup> Full stop substituted by S.I. 2018/1056 reg. 4(b) from 01/11/2018.

<sup>65</sup> Word omitted by S.I. 2020/667 reg. 5(b) from 24/08/2020.

<sup>66</sup> Sub-paragraph (i) inserted by S.I. 2018/1056 reg. 4(c) from 01/11/2018.

<sup>67</sup> Full stop substituted by S.I. 2020/667 reg. 5(c) from 24/08/2020.

<sup>68</sup> Sub-paragraphs (j) and (k) inserted by S.I. 2020/667 reg. 5(d) from 24/08/2020.

<sup>69</sup> Word omitted by S.I. 2021/665 reg. 5(b) from 29/06/2021.

<sup>70</sup> Sub-paragraph (l) inserted by S.I. 2021/665 reg. 5(c) from 29/06/2021.

<sup>71</sup> Word omitted by S.I. 2021/1045 reg. 2(4)(b) from 16/09/2021.

- (i) who has limited leave to enter or remain in the United Kingdom by virtue of Appendix Hong Kong British National (Overseas) of the Immigration Rules; and
- (ii) whose leave to enter or remain is not subject to a condition requiring P to maintain and accommodate P, and any person dependent upon P, without recourse to public funds; and
- (iii) who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland. ◀

►<sup>72</sup>(m) Class M – a person—

- (i) who is granted leave to enter or remain in the United Kingdom in accordance with the Immigration Rules, where such leave is granted by virtue of—
  - (aa) the Afghan Relocations and Assistance Policy; or
  - (bb) the previous scheme for locally-employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme); or
- (ii) with leave to enter or remain in the United Kingdom not coming within sub-paragraph (i), who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021, but excluding a person (P)—
  - (aa) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds; or
  - (bb) who has been given leave to enter or remain in the United Kingdom upon an undertaking given by P's sponsor and has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P's sponsor gave the undertaking in respect of P, whichever date is the later, and whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive. ◀

►<sup>73</sup>(n) Class N – a person in the United Kingdom who—

- (i) was residing in Ukraine immediately before 1st January 2022;
- (ii) left Ukraine in connection with the Russian invasion which took place on 24th February 2022; and
- (iii) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971(2),

but excluding a person (P) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds.

►<sup>74</sup>(o) Class O – a person in the United Kingdom who has limited leave to remain granted in accordance with Appendix Ukraine Scheme of the Immigration Rules pursuant to an application made by that person from within the United Kingdom, but excluding a person (P) who is subject to a condition requiring P to maintain and accommodate themselves, and any person who is dependent on P, without recourse to public funds. ◀

►<sup>75</sup>(p) Class P – a person who has limited leave to remain granted in accordance with Appendix Temporary Permission to Stay for Victims of Human Trafficking or Slavery of the Immigration Rules. ◀

►<sup>76</sup>(q) Class Q — a person who—

- (i) was residing in Sudan before 15th April 2023;
- (ii) left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan;
- (iii) has leave to enter or remain in the United Kingdom given in accordance with the Immigration Rules;
- (iv) is not a person whose leave is subject to a condition requiring that person to maintain and accommodate themselves, and any person who is dependent on that person, without recourse to public funds; and

<sup>72</sup> Sub-paragraph (m) inserted by S.I. 2021/1045 reg. 2(4)(c) from 16/09/2021.

<sup>73</sup> Sub-paragraph (n) inserted by S.I. 2022/339 reg. 2(4) from 22/03/2022.

<sup>74</sup> Sub-paragraph (o) inserted by S.I. 2022/601 reg. 2(3) and S.I. 2022/626 reg. 2 from 10/06/2022.

<sup>75</sup> Sub-paragraph (p) inserted by S.I. 2022/1371 reg. 2(3) from 30/01/2023.

<sup>76</sup> Sub-paragraph (q) inserted by S.I. 2023/530 reg. 2(4) from 15/05/2023.



- (v) is not a person (“P”)—
  - (aa) who has been given leave upon an undertaking given by P’s sponsor;
  - (bb) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P’s sponsor gave the undertaking in respect of P, whichever date is later; and
  - (cc) whose sponsor, or where there is more than one sponsor, at least one of whose sponsors, is still alive. ◀
- ▶<sup>77</sup>(r) Class R — a person who—
  - (i) was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7th October 2023;
  - (ii) left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack;
  - (iii) has leave to enter or remain in the United Kingdom given in accordance with the Immigration Rules;
  - (iv) is not a person whose leave is subject to a condition requiring that person to maintain and accommodate themselves, and any person who is dependent on that person, without recourse to public funds; and
  - (v) is not a person (“P”)—
    - (aa) who has been given leave upon an undertaking given by P’s sponsor;
    - (bb) who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which P’s sponsor gave the undertaking in respect of P, whichever date is later; and
    - (cc) whose sponsor, or where there is more than one sponsor, at least one of whose sponsors, is still alive. ◀
- ▶<sup>78</sup>(s) Class S— a person (P) who has indefinite leave to enter the United Kingdom by virtue of Appendix Victim of Domestic Abuse of the Immigration Rules in circumstances where P is a victim of transnational marriage abandonment;
- (t) Class T— a person who has limited leave to enter or limited leave to remain in the United Kingdom and who, after making a change of conditions application, has had their no recourse to public funds condition lifted by the Home Office in accordance with section 3(1)(c)(ii) of the Immigration Act 1971, and who does not fall within Class G or Class L in this regulation. ◀

▶<sup>79</sup>◀

### **Other persons from abroad who are ineligible for housing assistance**

**6.—**(1) A person who is not subject to immigration control is to be treated as a person from abroad who is ineligible for housing assistance under Part 7 of the 1996 Act if—

- (a) subject to paragraph (2), he is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland;
- (b) his only right to reside in the United Kingdom—
  - (i) is derived from his status as a jobseeker or the family member of a jobseeker; or
  - (ii) is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations; or

<sup>77</sup> Sub-paragraph (r) inserted by S.I. 2023/1142 reg. 2(4) from 27/10/2023.

<sup>78</sup> Sub-paragraphs (s) and (t) inserted by S.I. 2024/647 reg. 2(5) from 07/06/2024.

<sup>79</sup> Paragraphs (2) and (3) omitted by S.I. 2016/965 reg. 2(4)(d) from 30/10/2016.

- <sup>80</sup>(iii) is a derivative right to reside to which he is entitled under ►<sup>81</sup> regulation 16(1)◄ of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in ►<sup>82</sup> regulation 16(5)◄ of those Regulations; or
- <sup>83</sup>◄
- <sup>84</sup>(c) his only right to reside in the Channel Islands, the Isle of Man or the Republic of Ireland is a right equivalent to one of those mentioned in sub-paragraph (b)(i), (ii) or (iii).◄
- <sup>85</sup>(1A) For the purposes of determining whether the only right to reside that a person has is of the kind mentioned in paragraph (1)(b) or (c), a right to reside by virtue of having been granted ►<sup>86</sup>—
- (a) limited leave to enter or remain in the United Kingdom under the Immigration Act 1971 by virtue of Appendix EU to the immigration rules made under section 3(2) of that Act; or
  - (b) leave to enter the United Kingdom by virtue of an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act
- is to be disregarded.◄◄
- (2) The following are not to be treated as persons from abroad who are ineligible for housing assistance pursuant to paragraph (1)(a)—
- (a) a worker;
  - (b) a self-employed person;
- <sup>87</sup>◄
- (d) a person who is the family member of a person specified in sub-paragraphs (a)-(c);
  - (e) a person with a right to reside permanently in the United Kingdom by virtue of regulation ►<sup>88</sup>15(1)(c)◄, (d) or (e) of the EEA Regulations; ►<sup>89</sup>and◄
- <sup>90</sup>◄
- (g) a person 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►<sup>91</sup>.◄
- <sup>92</sup>◄
- <sup>93</sup>◄
- <sup>94</sup>(j) a frontier worker; ►<sup>95</sup>◄
- (k) a person who—
    - (i) is a family member of a person specified in sub-paragraph (j); and
    - (ii) has a right to reside by virtue of having been granted limited leave to enter or remain in the United Kingdom under the Immigration Act 1971 by virtue of Appendix EU to the immigration rules made under section 3 of that Act.◄
- <sup>96</sup>(l) a person who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021.◄
- <sup>97</sup>(m) a person who was residing in Ukraine immediately before 1st January 2022 and who left Ukraine in connection with the Russian invasion which took place on 24th February 2022.◄

<sup>80</sup> Sub-paragraphs (1)(b)(iii) and (iv) inserted by S.I. 2012/2588 reg. 2(4) from 08/11/2012.

<sup>81</sup> Words substituted by S.I. 2020/1309 reg. 71(4)(a) from 01/01/2021.

<sup>82</sup> Words substituted by S.I. 2020/1309 reg. 71(4)(b) from 01/01/2021.

<sup>83</sup> Paragraph (1)(b)(iv) omitted by S.I. 2020/1309 reg. 71(4)(c) from 01/01/2021.

<sup>84</sup> Paragraph (1)(c) substituted by S.I. 2020/1309 reg. 71(4)(d) from 01/01/2021.

<sup>85</sup> Paragraph (1A) inserted by S.I. 2019/861 reg. 4(a) from 07/05/2019

<sup>86</sup> Words substituted by S.I. 2020/1372 reg. 20(2) from 01/01/2021.

<sup>87</sup> Sub-paragraph (2)(c) omitted by S.I. 2024/647 reg. 2(6) from 07/06/2024.

<sup>88</sup> Word substituted S.I. 2019/861 reg. 4(b) from 07/05/2019

<sup>89</sup> Word inserted by S.I. 2014/435 reg. 2(6)(b) from 31/03/2014.

<sup>90</sup> Sub-paragraph (2)(f) omitted by S.I. 2014/435 reg. 2(6)(c) from 31/03/2014.

<sup>91</sup> Full stop substituted by S.I. 2014/435 reg. 2(6)(d) from 31/03/2014.

<sup>92</sup> Sub-paragraph (2)(h) omitted by S.I. 2014/435 reg. 2(6)(c) from 31/03/2014.

<sup>93</sup> Sub-paragraph (2)(i) omitted by S.I. 2014/435 reg. 2(6)(c) from 31/03/2014.

<sup>94</sup> Sub-paragraphs (2)(j),(k) inserted by S.I. 2020/1309 reg. 71(4)(e) from 01/01/2021.

<sup>95</sup> Word omitted by S.I. 2021/1045 reg. 2(5)(a) from 16/09/2021.

<sup>96</sup> Sub-paragraph (2)(l) inserted by S.I. 2021/1045 reg. 2(5)(b) from 16/09/2021.

<sup>97</sup> Sub-paragraph (2)(m) inserted by S.I. 2022/339 reg. 2(5) from 22/03/2022.

- <sup>98</sup>(n) a person who was residing in Sudan before 15th April 2023 and left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan. ◀
- <sup>99</sup>(o) a person who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7th October 2023 and who left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack. ◀

### Revocation

7. Subject to regulation 8, the Regulations specified in column (1) of the Schedule are revoked to the extent mentioned in column (3) of the Schedule.

### Transitional provisions

8. The revocations made by these Regulations shall not have effect in relation to an applicant whose application for—

- (a) an allocation of housing accommodation under Part 6 of the 1996 Act; or
  - (b) housing assistance under Part 7 of the 1996 Act,
- was made before 1st June 2006.

Signed by authority of the Secretary of State

*Yvette Cooper*  
Minister of State

11th May 2006

Department for Communities and Local Government

## SCHEDULE

Regulation 7

### Revocation schedule

(1)	(2)	(3)
<i>Regulations Revoked</i>	<i>References</i>	<i>Extent of revocation</i>
The Homelessness (England) Regulations 2000	SI 2000/701	The whole Regulations
The Allocation of Housing (England) Regulations 2002	SI 2002/3264	Regulations 4 and 5
The Allocation of Housing and Homelessness (Amendment) (England) Regulations 2004	SI 2004/1235	The whole Regulations
The Allocation of Housing and Homelessness (Amendment) (England) Regulations 2006	SI 2006/1093	The whole Regulations

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*  
[Omitted]

<sup>98</sup> Sub-paragraph (2)(n) inserted by S.I. 2023/530 reg. 2(5) from 15/05/2023.

<sup>99</sup> Sub-paragraph (2)(o) inserted by S.I. 2023/1142 reg. 2(5) from 27/10/2023.