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STATUTORY INSTRUMENTS

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**1999 No. 723 (S. 48)**

**HOUSING, SCOTLAND**

**The Housing Accommodation and Homelessness  
(Persons subject to Immigration Control)  
(Amendment) (Scotland) Order 1999**

<i>Made</i>	- - - -	<i>5th March 1999</i>
<i>Laid before Parliament</i>		<i>11th March 1999</i>
<i>Coming into force</i>	- -	<i>1st April 1999</i>

The Secretary of State, in exercise of the powers conferred on him by section 9 of the Asylum and Immigration Act 1996<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, commencement, interpretation and extent**

1. (1) This Order may be cited as the Housing Accommodation and Homelessness (Persons subject to Immigration Control) (Amendment) (Scotland) Order 1999 and shall come into force on 1st April 1999.

(2) In this Order, “the principal Order” means the Housing Accommodation and Homelessness (Persons subject to Immigration Control) Order 1996<sup>(2)</sup>.

(3) The amendments to the principal Order made by articles 2 and 3 shall extend to Scotland only.

**Amendment of Order**

2. In article 3 of the principal Order, the following shall be inserted immediately before “Class D”:-

“Class CA – a person who is-

(i) a national of a state which is a signatory to the European Convention on Social and Medical Assistance (done in Paris on 11th December 1953) or a state which is a signatory to the Council of Europe Social Charter (signed in Turin on 18th October 1961)<sup>(3)</sup>; and

(ii) habitually resident in the Common Travel Area;”.

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<sup>(1)</sup> 1996 c. 49; there are amendments to section 9 which do not extend to Scotland.

<sup>(2)</sup> S.I.1996/1982, amended by S.I. 1997/628.

<sup>(3)</sup> The Convention and the Charter are numbered 14 and 35 respectively in the Council of Europe European Treaty Series.

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**Status:** This is the original version (as it was originally made).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

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3. In article 4 of the principal Order, for “A to C” there is substituted “A to CA”.

St Andrew’s House, Edinburgh  
5th March 1999

*Calum MacDonald*  
Parliamentary Under Secretary of State, Scottish  
Office

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Under section 9 of the Asylum and Immigration Act 1996, the Secretary of State has power to specify classes of persons subject to immigration control for whom local authorities may provide housing accommodation (subsection (1)) or assistance under the homelessness legislation (subsection (2)). Relevant classes are specified in the Housing Accommodation and Homelessness (Persons subject to Immigration Control) Order 1996. This Order amends that Order (as regards Scotland only) by adding as a new class for the purposes of both subsections (1) and (2) of section 9 persons who are nationals of states which are signatories to the European Convention on Social and Medical Assistance or the Council of Europe Social Charter and are habitually resident in the Common Travel Area (the UK, the Channel Islands, the Isle of Man and the Republic of Ireland).