

2002 No. 472

IMMIGRATION

The Asylum Support (Amendment) Regulations 2002

<i>Made</i> - - - - -	<i>2nd March 2002</i>
<i>Laid before Parliament</i>	<i>6th March 2002</i>
<i>Coming into force</i> - -	<i>8th April 2002</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 94(3) and 166(3) of, and paragraphs 3(a) and 4 of Schedule 8 to, the Immigration and Asylum Act 1999(a), and having regard to the definition of “prescribed” in section 167(1) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Asylum Support (Amendment) Regulations 2002 and shall come into force on 8th April 2002.

Interpretation

2. In these Regulations “the 2000 Regulations” means the Asylum Support Regulations 2000(b).

Prescribed period under section 94(3) of the Immigration and Asylum Act 1999

3. For regulation 2(2) of the 2000 Regulations (interpretation) substitute:

“(2) The period prescribed under section 94(3) of the Act (day on which a claim for asylum is determined) for the purposes of Part VI of the Act is 28 days where paragraph (2A) applies, and 21 days in any other case.

(2A) This paragraph applies where:

- (a) the Secretary of State notifies the claimant that his decision is to accept the asylum claim;
- (b) the Secretary of State notifies the claimant that his decision is to reject the asylum claim but at the same time notifies him that he is giving him limited leave to enter or remain in the United Kingdom; or
- (c) an appeal by the claimant against the Secretary of State’s decision has been disposed of by being allowed.”.

(a) 1999 c. 33.
(b) S.I. 2000/704.

Kind and levels of support for essential living needs

4.—(1) For regulation 10(2) of the 2000 Regulations (kind and levels of support for essential living needs) there is substituted:

“(2) As a general rule, asylum support in respect of the essential living needs of that person may be expected to be provided weekly in the form of vouchers redeemable for cash whose total redemption value, for any week, equals the amount shown in the second column of the following Table opposite the entry in the first column which for the time being describes that person, or a cash payment of that amount.

Qualifying couple	£59.26
Lone parent aged 18 or over	£37.77
Single person aged 25 or over	£37.77
Single person aged at least 18 but under 25	£29.89
Person aged at least 16 but under 18 (except a member of a qualifying couple)	£32.50
Person aged under 16	£33.50”.

(2) Regulation 10(6) of the 2000 Regulations is hereby revoked.

(3) At the end of regulation 11(1) of the 2000 Regulations, add “or a single cash payment of £50”.

Home Office
2nd March 2002

Jeff Rooker
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Asylum Support Regulations 2000 (the “2000 Regulations”).

Regulation 3 amends regulation 2(2) of the 2000 Regulations by changing the period after which a claim for asylum is regarded as determined. Where the Secretary of State notifies the claimant that he accepts the asylum claim, or notifies the claimant that the asylum claim is rejected but at the same time gives him limited leave to enter or remain in the United Kingdom, or where an appeal by the claimant against the Secretary of State’s decision has been disposed of by being allowed, the period is increased from 14 days to 28 days. In any other case, the period is increased from 14 days to 21 days.

Regulation 4 amends regulation 10(2) of the 2000 Regulations by providing that, as a general rule, asylum support is to be provided in the form of vouchers redeemable for cash or a cash payment, and by increasing the level of such support. Regulation 4 also revokes regulation 10(6) which provided that the redemption value of vouchers redeemable for cash was, as a general rule, to be expected not to exceed £10 per person (or £20 per qualifying couple). Regulation 4 also amends regulation 11(1) of the 2000 Regulations by providing that the additional support at the end of each qualifying period which may, as a general rule, be expected to be provided shall be either in the form of a single issue of vouchers redeemable for cash whose total redemption value equals £50 or a single cash payment of £50.

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