

2003 No. 402

HOUSING

**The Allocation of Housing Regulations
(Northern Ireland) 2003**

Made - - - - - 6th September 2003

Coming into operation 1st November 2003

To be laid before Parliament

The Secretary of State, in exercise of the powers conferred upon him by Article 22A(3) of the Housing (Northern Ireland) Order 1981(a) and of every other power enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Allocation of Housing Regulations (Northern Ireland) 2003 and shall come into operation on 1st November 2003.

Interpretation

2. In these Regulations –

“the Order” means the Housing (Northern Ireland) Order 1981, and

“the Common Travel Area” means the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland collectively.

Class prescribed under Article 22A(3) who are ineligible persons

3. The following is a class of persons who are ineligible for the purposes of Article 22A of the Order (allocation only to eligible persons) –

A person who is not habitually resident in the Common Travel Area other than –

(a) a worker for the purposes of Council Regulation (EEC) No. 1612/68(b) or (EEC) No. 1251/70(c);

(b) a person with a right to reside in the United Kingdom pursuant to the Immigration (European Economic Area) Regulations 2000(d) and derived from Council Directive No. 68/360/EEC(e) or No. 73/148/EEC(f);

(a) S.I. 1981/156 (N.I. 3); Article 22A was inserted by Article 124 of S.I. 2003/412 (N.I. 2)

(b) O.J. No. L257, 19.10.68, p. 2, Special Edition 1968 (II) p. 475, to which there are amendments not relevant to these Regulations

(c) O.J. No. L142, 30.6.70, p. 24, Special Edition 1970 (II) p. 402

(d) S.I. 2000/2326

(e) O.J. No. L257, 19.10.68, p. 13, Special Edition 1968 (II) p. 485, to which there are amendments not relevant to these Regulations

(f) O.J. No. L172, 28.6.73, p. 14

(c) a person who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.

Northern Ireland Office
6th September 2003

Paul Murphy
One of Her Majesty's Principal Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 22 of the Housing (Northern Ireland) Order 1981 (“the Order”) provides that the Northern Ireland Housing Executive (“the Executive”) shall comply with a scheme for the allocation of housing accommodation approved by the Department for Social Development. Article 22A of the Order provides that the Executive shall not allocate housing accommodation to a person from abroad who is ineligible for such an allocation (paragraph (1), sub-paragraph (b)) and that the Secretary of State has power to specify, by regulations, classes of persons who are ineligible (paragraph (3)).

These Regulations prescribe a class of persons who are ineligible to be allocated housing by the Executive.

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£1.75

Published by The Stationery Office Limited

Printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty’s Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly
Dd. N1157. C3. 9/03. Gp. 130. 14567.

ISBN 0-337-95226-4

