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STATUTORY INSTRUMENTS

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**1997 No. 797**

**HOUSING, ENGLAND AND WALES**

**The Homelessness (Isles of Scilly) Order 1997**

<i>Made</i>	- - - -	<i>12th March 1997</i>
<i>Laid before Parliament</i>		<i>13th March 1997</i>
<i>Coming into force</i>	- -	<i>3rd April 1997</i>

The Secretary of State, in exercise of the powers conferred on him by section 225(1) of the Housing Act 1996<sup>(1)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Homelessness (Isles of Scilly) Order 1997 and shall come into force on 3rd April 1997.

(2) In this Order—

“the Act” means the Housing Act 1996;

“the Council” means the Council of the Isles of Scilly.

**Eligibility for assistance by the Council and local connection with the district of the Council**

2.—(1) Where—

- (a) a person applies to the Council for assistance under Part VII of the Act (homelessness); or
- (b) a person applies to a local housing authority other than the Council for such assistance and, but for the provisions of paragraphs (2) and (3), the conditions specified in section 198(2) of the Act (referral of case to another authority) for referral of the case to the Council are satisfied,

sections 183 to 218 of the Act shall be subject to the following provisions of this article.

(2) A person is not eligible for assistance by the Council if he has not been resident in the district of the Council for a period of two years and six months during the period of three years immediately prior to his application.

(3) Where a person is not excluded from assistance by the Council by paragraph (2)—

- (a) he has a local connection with the district of the Council; and

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**Status:** This is the original version (as it was originally made).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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- (b) section 199 of the Act (local connection) shall not apply for the purpose of determining whether he has a local connection with the district of the Council.

Signed by authority of the Secretary of State

12th March 1997

*David Curry*  
Minister of State,  
Department of the Environment

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## EXPLANATORY NOTE

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

This Order modifies Part VII of the Housing Act 1996 (homelessness) as it relates to the Isles of Scilly.

It provides that a person is not eligible for assistance in the Isles of Scilly if he has not been resident there for a period of two years and six months during the period of three years immediately before his application. Where a person is not excluded from assistance under that provision, he will have a local connection with the district of that authority.