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STATUTORY INSTRUMENTS

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**2000 No. 704**

**The Asylum Support Regulations 2000**

*Determining whether persons are destitute*

**Income and assets to be taken into account**

6.—(1) This regulation applies where it falls to the Secretary of State to determine for the purposes of section 95(1) of the Act whether—

- (a) a person applying for asylum support, or such an applicant and any dependants of his, or
- (b) a supported person, or such a person and any dependants of his,

is or are destitute or likely to become so within the period prescribed by regulation 7.

(2) In this regulation “the principal” means the applicant for asylum support (where paragraph (1) (a) applies) or the supported person (where paragraph (1)(b) applies).

(3) The Secretary of State must ignore—

- (a) any asylum support, and
- (b) any support under section 98 of the Act,

which the principal or any dependant of his is provided with or, where the question is whether destitution is likely within a particular period, might be provided with in that period.

(4) But he must take into account—

- (a) any other income which the principal, or any dependant of his, has or might reasonably be expected to have in that period;
- (b) any other support which is available to the principal or any dependant of his, or might reasonably be expected to be so available in that period; and
- (c) any assets mentioned in paragraph (5) (whether held in the United Kingdom or elsewhere) which are available to the principal or any dependant of his otherwise than by way of asylum support or support under section 98, or might reasonably be expected to be so available in that period.

(5) Those assets are—

- (a) cash;
- (b) savings;
- (c) investments;
- (d) land;
- (e) cars or other vehicles; and
- (f) goods held for the purpose of a trade or other business.

(6) The Secretary of State must ignore any assets not mentioned in paragraph (5).