

EXPLANATORY MEMORANDUM TO
THE ASYLUM SUPPORT (AMENDMENT) REGULATIONS 2006

2006 No. 733

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 On 29th October 2001 the then Home Secretary stated that he would increase the value of subsistence support provided to asylum seekers by the National Asylum Support Service in line with the increase in Income Support payments. This practice has continued, and the next rise is due on 10th April 2006. The Department for Work and Pensions (DWP) will introduce revised Income Support payment levels from that date to take account of increases in the cost of living. The National Asylum Support Service levels of support are set at 70% of Income Support levels for adults and 100% for dependants aged under eighteen years.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 This Statutory Instrument amends regulation 10 of the Asylum Support Regulations 2000 (SI. 704/2000) so as to amend the amounts that are to be paid by the National Asylum Support Service, as a general rule, to supported persons and their dependants in respect of their essential living needs (i.e. their subsistence support). These increases are made annually in line with the Department for Work and Pensions' annual increase in Income Support payments which this year comes into effect on 10th April 2006.

5. Extent

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- 7.1 The Asylum Support Regulations 2000 which came into force on 3rd April 2000 make provision (in regulation 10) for the amounts to be paid as a general rule, in respect of their essential living needs to destitute asylum seekers and their dependants.
- 7.2 On 29th October 2001 the Home Secretary stated that he would increase the amounts paid in line with the increase in Income Support payments. This practice has continued and the next rise is due on April 10th 2006.
- 7.3 The uprating of the support levels continues to fulfil the Home Secretary's undertaking of 29th October 2001.

8. Impact

- 8.1 A Regulatory Impact Assessment has not been prepared because no material impact on the public, private or voluntary sector is foreseen.

9. Contact

David Ridgway at the National Asylum Support Service Tel. 020 8604 6851 can answer any queries regarding the instrument.