STATUTORY INSTRUMENTS

2026 No. 499

IMMIGRATION AND ASYLUM

The Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) (Amendment) Regulations 2026

Made - - - -	*6th May 2026*
Coming into force - -	*2nd June 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 4(5)(b) and (6)(b) of the Immigration and Asylum Act 1999(**a**).

In accordance with section 166(5) of that Act(**b**), a draft of these Regulations has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) (Amendment) Regulations 2026.

(2) These Regulations come into force on 2nd June 2026.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005

2. In regulation 6 of the Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005(**c**)—

(a) at the end of paragraph (2)(c)(ii), omit "or";

(b) in paragraph (2)(d) for "Kingdom.", substitute "Kingdom, or";

(c) after paragraph (2)(d), insert—

> "(e) complying with a requirement not to work at a time when he is disqualified from working by reason of his immigration status.";

(d) after paragraph (2), insert—

(**a**) 1999 c. 33. Section 4(5) and (6) were inserted by section 10(1) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19).
(**b**) Section 166(5) was amended by section 10(2) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.
(**c**) S.I. 2005/930, to which there is an amendment not relevant to these Regulations.

"(3) A person is disqualified from working by reason of his immigration status if he is so disqualified within the meaning given by section 24B(2) of the Immigration Act 1971(**a**) (illegal working).".

Mike Tapp
Parliamentary Under-Secretary of State
Home Office

6th May 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument amends the Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005 (S.I. 2005/930) by inserting into regulation 6(2) provision that the Secretary of State may make the continued provision of accommodation to a person falling within section 4(2) or (3) of the Immigration and Asylum Act 1999 (c. 33) subject to a condition that the person complies with a requirement that he does not work at a time when he is disqualified from working by reason of his immigration status.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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(**a**) 1971 c. 77. Section 24B was inserted by section 34(3) of the Immigration Act 2016 (c. 19).

ISBN 978-0-34-828304-4

£6.40

http://www.legislation.gov.uk/id/uksi/2026/499

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