



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **Draft Allocation of Housing and Homelessness (Eligibility)
(Wales) (Amendment) (No. 2) Regulations 2023**

DATE **22 May 2023**

BY **Julie James MS, Minister for Climate Change**

Due to the sudden escalation of violence in Sudan, which began on 15 April 2023, the UK Government has made changes to the way it applies the habitual residence test for those evacuated to the UK. The habitual residence test, which prevents someone who has a right to enter the UK from claiming benefits immediately after their arrival, and can take up to three months to complete, will be disapplied for those who have escaped the conflict in Sudan. Disapplying the habitual residence test will give those arriving in the UK immediate access to benefits, including housing and homelessness assistance.

To align housing law in Wales with the UK Government’s change of approach, so that people who come to Wales from Sudan can be made eligible to apply for social housing and homelessness assistance, I intend to lay the draft Allocation of Housing and Homelessness (Eligibility) (Wales) (Amendment) (No. 2) Regulations 2023 (“the draft Regulations”). Those eligible will be British Nationals, others not subject to immigration control (or treated as such), and anyone with immigration leave and recourse to public funds evacuated from the conflict in Sudan.

We expect the numbers of people arriving in Wales to be very small, however, as people are already arriving in the UK from Sudan these changes must be made as soon as possible. Consequently, the draft Regulations will be laid on 22 May for consideration by the Senedd on 6 June. I have taken the decision to accelerate this process due to the urgency of the situation and to provide certainty to stakeholders and to those arriving from Sudan in relation to the services they can access upon arrival.

I have written to the Legislation, Justice and Constitution Committee to seek their assistance for urgent consideration of the Regulations, in order that Members of the Senedd have sight of the Committee’s report before the debate on 6 June 2023.

I am grateful to the committee and to colleagues in the Senedd for their support on this unusual but urgent matter.