
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Immigration, Nationality and
Asylum (EU Exit) Regulations 2019**

PART 2

Immigration and Nationality

Chapter 2

Amendment of subordinate legislation

Amendment of the Immigration (Control of Entry through Republic of Ireland) Order 1972

24. In article 4 of the Immigration (Control of Entry through Republic of Ireland) Order 1972⁽¹⁾—

- (a) in paragraph (1)—
 - (i) for “an enforceable EU right” substitute “a retained enforceable EU right”;
 - (ii) after “1972” insert “as that provision is modified from time to time”;
- (b) in paragraph (8), for the words from “an enforceable EU right” to the end, substitute—
 - “—
 - (a) a retained enforceable EU right, or
 - (b) any provision made under section 2(2) of the European Communities Act 1972 as that provision is modified from time to time.”;
- (c) at the end insert—
 - “(9) For the purposes of paragraphs (1) and (8)—
 - “retained enforceable EU right” means a right that—
 - (a) was created or arose by or under the EU Treaties before the time when this paragraph comes into force, and
 - (b) forms part of retained EU law by virtue of section 3 or 4 of the European Union (Withdrawal) Act 2018,
 - as that right is modified from time to time.”.

⁽¹⁾ [S.I. 1972/1610](#); amended by [S.I. 1982/1028](#), [2014/2475](#). There have been other amendments to the Order which are not relevant to these Regulations