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DRAFT STATUTORY INSTRUMENTS

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**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 and Nationality (Fees) Order 2016**

- 42.** In article 2 of the Immigration and Nationality (Fees) Order 2016<sup>(1)</sup> (interpretation)—
- (a) in the definition of “European residence document”, 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;”;
  - (b) at the appropriate place insert—  
““retained enforceable EU right” means a right that—
    - (a) was created or arose by or under the EU Treaties before the time when the Immigration, Nationality and Asylum (EU Exit) Regulations 2019 come 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;”.

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<sup>(1)</sup> [S.I. 2016/177](#). There have been amendments to the Order which are not relevant to these Regulations.