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STATUTORY INSTRUMENTS

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**2004 No. 1219**

**The Accession (Immigration and  
Worker Registration) Regulations 2004**

**PART 2**

**Immigration**

**Transitional provisions applying to the application of the 2000 Regulations to nationals of the accession States and their family members**

6.—(1) Where before 1st May 2004 a qualified person or the family member of a qualified person has been given leave to enter or remain in the United Kingdom under the 1971 Act subject to conditions, those conditions shall cease to have effect on and after that date.

(2) Where before 1st May 2004 directions have been given for the removal of a qualified person or the family member of a qualified person under paragraphs 8 to 10A of Schedule 2 to the 1971 Act<sup>(1)</sup> or section 10 of the 1999 Act, those directions shall cease to have effect on and after that date.

(3) Where before 1st May 2004 the Secretary of State has made a decision to make a deportation order against a qualified person or the family member of a qualified person under section 5(1) of the 1971 Act—

- (a) that decision shall, on and after 1st May 2004, be treated as if it were a decision under regulation 21(3)(b) of the 2000 Regulations; and
- (b) any appeal against that decision, or against the refusal by the Secretary of State to revoke the deportation order, made under section 63 of the 1999 Act or section 82(2)(j) or (k) of the 2002 Act before 1st May 2004 shall, on and after that date, be treated as if it had been made under regulation 29 of the 2000 Regulations.

(4) In this regulation—

- (a) “the 1999 Act” means the Immigration and Asylum Act 1999<sup>(2)</sup>
- (b) “the 2002 Act” means the Nationality, Immigration and Asylum Act 2002;
- (c) regulation 6 of the 2000 Regulations shall apply for the purpose of determining whether a person is the family member of another person;
- (d) any reference to a qualified person or to the family member of a qualified person is a reference to a person who becomes for the purpose of the 2000 Regulations a qualified person or the family member of a qualified person, as the case may be, on 1st May 2004 by virtue of regulation 3.

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(1) Paragraphs 8 to 10 have been amended by the Schedule to the Immigration Act 1988 (c. 14), Schedule 2 to the Asylum and Immigration Act 1996 (c. 49), and Schedule 7 to the Nationality, Immigration and Asylum Act 2002(c. 41) and paragraph 10A was inserted by section 73 of the 2002 Act.

(2) 1999 c. 33.