

SCHEDULE 1

Amendments to the 2006 Regulations

Schedule 1 (Appeals to the First-tier Tribunal)

15. In paragraph 1 of Schedule 1, for “against an immigration decision under section 82(1) of that Act” to “sections 85 to 87;” substitute—

“against a decision of the Secretary of State under section 82(1) of the 2002 Act^{M1} (right of appeal to the Tribunal)—”

section 84^{M2} (grounds of appeal), as though the sole permitted ground of appeal were that the decision breaches the appellant's rights under the EU Treaties in respect of entry to or residence in the United Kingdom (“an EU ground of appeal”);

section 85^{M3} (matters to be considered), as though—

- (i) the references to a statement under section 120^{M4} of the 2002 Act include, but are not limited to, a statement under that section as applied by paragraph 4 of Schedule 2 to these Regulations; and
- (ii) a “matter” in subsection (2) and a “new matter” in subsection (6) include a ground of appeal of a kind listed in section 84 of the 2002 Act and an EU ground of appeal;

section 86^{M5} (determination of appeal);”.

Marginal Citations

M1 Section 82 of the Nationality, Immigration and Asylum Act 2002 was amended by section 15(2) of the Immigration Act 2014.

M2 Section 84 of the Nationality, Immigration and Asylum Act 2002 was amended by section 15(4) of the Immigration Act 2014.

M3 Section 85 of the Nationality, Immigration and Asylum Act 2002 was amended by section 15(5) of, and paragraph 34 of Schedule 9 to, the Immigration Act 2014.

M4 Section 120 of the Nationality, Immigration and Asylum Act 2002 was amended by paragraph 55 of Schedule 9 to the Immigration Act 2014.

M5 Section 86 of the Nationality, Immigration and Asylum Act 2002 was amended by paragraph 18(1)(b) of Schedule 2 to the *Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)*, and paragraph 36 of Schedule 9 to the Immigration Act 2014.

Changes to legislation:

There are currently no known outstanding effects for the The Immigration (European Economic Area) (Amendment) Regulations 2015, Paragraph 15.