
STATUTORY INSTRUMENTS

2020 No. 61

The Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020

PART 1

General

Citation and commencement

1.—(1) These Regulations may be cited as the Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020.

(2) These Regulations come into force on exit day and paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 does not apply.

Commencement Information

II Reg. 1 in force at 31.1.2020 on exit day, see reg. 1(2) and [2018 c. 16, s. 20\(1\)-\(5\)](#)

Interpretation

2.—(1) In these Regulations—

“the 1971 Act” means the Immigration Act 1971 ^{M1};

“the 1997 Act” means the Special Immigration Appeals Commission Act 1997 ^{M2};

“the 2002 Act” means the Nationality, Immigration and Asylum Act 2002 ^{M3};

[^{F1}“the 1972 Order” means the Immigration (Control of Entry through Republic of Ireland) Order 1972;]

[^{F2}“the 2020 Regulations” means the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020;]

“appealable decision” means a decision which may be appealed against under these Regulations;

“appellant” means a person who brings an appeal under these Regulations;

[^{F3}“Appendix S2” means Appendix S2 Healthcare Visitor to the immigration rules;]

[^{F4}“frontier worker” has the meaning given in regulation 3 of the 2020 Regulations;

“frontier worker permit” has the meaning given in regulation 2 of the 2020 Regulations;]

[^{F5}“healthcare entry clearance” means entry clearance granted by virtue of Appendix S2 for the purpose of acquiring leave to enter or remain in the United Kingdom by virtue of that Appendix ;

“healthcare leave”, in relation to a person (“P”), means leave to enter or remain in the United Kingdom granted to P by virtue of Appendix S2 ;

“person with a healthcare right of entry” means a person who has the right to enter the United Kingdom by virtue of—

- (a) Article 32(1)(b) of the withdrawal agreement,
- (b) Article 31(1)(b) of the EEA EFTA separation agreement, or
- (c) Article 26a(1)(b) of the Swiss citizens' rights agreement;]

“relevant authority” means—

- (a) where the appeal under these Regulations lies to the Special Immigration Appeals Commission, the Commission;
- (b) otherwise, the Tribunal;

“scheme entry clearance” means entry clearance granted by virtue of relevant entry clearance immigration rules ^{M4};

“the Tribunal” means the First-tier Tribunal.

[^{F6}“valid identity document” means—

- (a) a valid national identity card issued by an EEA state, or
- (b) a valid passport issued by an EEA state.]

[^{F7}(1A) For the purposes of the definition of “valid identity document”, “EEA state” means—

- (a) a member State, or
- (b) Iceland, Liechtenstein, Norway or Switzerland.]

(2) References in these Regulations to an appeal which is pending are to be read in accordance with regulation 13.

Textual Amendments

- F1** Words in reg. 2(1) inserted (31.12.2020 immediately after IP completion day) by [The Immigration \(Citizens' Rights etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1372\)](#), regs. 1(2)(a)(3)(a), **2(2)(a)**
- F2** Words in reg. 2(1) inserted (4.11.2020 for specified purposes, 31.12.2020 in so far as not already in force) by [The Citizens' Rights \(Frontier Workers\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1213\)](#), regs. 1(2)(3), **24(2)(a)(i)**
- F3** Words in reg. 2(1) inserted (31.12.2020 immediately after IP completion day) by [The Immigration \(Citizens' Rights etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1372\)](#), regs. 1(2)(a)(3)(a), **2(2)(b)**
- F4** Words in reg. 2(1) inserted (4.11.2020 for specified purposes, 31.12.2020 in so far as not already in force) by [The Citizens' Rights \(Frontier Workers\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1213\)](#), regs. 1(2)(3), **24(2)(a)(ii)**
- F5** Words in reg. 2(1) inserted (31.12.2020 immediately after IP completion day) by [The Immigration \(Citizens' Rights etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1372\)](#), regs. 1(2)(a)(3)(a), **2(2)(c)**
- F6** Words in reg. 2(1) inserted (4.11.2020 for specified purposes, 31.12.2020 in so far as not already in force) by [The Citizens' Rights \(Frontier Workers\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1213\)](#), regs. 1(2)(3), **24(2)(a)(iii)**
- F7** Reg. 2(1A) inserted (4.11.2020 for specified purposes, 31.12.2020 in so far as not already in force) by [The Citizens' Rights \(Frontier Workers\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1213\)](#), regs. 1(2)(3), **24(2)(b)**

Commencement Information

- I2** Reg. 2 in force at 31.1.2020 on exit day, see reg. 1(2) and [2018 c. 16, s. 20\(1\)-\(5\)](#)

Marginal Citations

M1 1971 c. 77.

M2 1997 c. 68.

M3 2002 c. 41.

M4 See section 17(2) of the European Union (Withdrawal Agreement) Act 2020 (“the EUWAA”) for the meaning of “relevant entry clearance immigration rules”; and see section 17(5) of the EUWAA for the meanings of “entry clearance” and “immigration rules”.

Changes to legislation:

There are currently no known outstanding effects for the The Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020, PART 1.