
STATUTORY INSTRUMENTS

2023 No. 12

The Immigration (Restrictions on Employment etc.) (Amendment) (EU Exit) Regulations 2023

Amendment of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020

5.—(1) The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020⁽¹⁾ are amended as follows.

(2) In Schedule 4 (saving provision in relation to access to benefits and services)—

(a) in paragraph 4(n) (saving with modifications of regulation 16 (derivative right to reside) in relation to a member of the post-transition period group)—

(i) before paragraph (i), insert—

“(ai) in paragraph (3)(b), after “a worker” there were inserted “or a self-employed person”,”;

(ii) after paragraph (i), insert—

“(ia) in paragraph (7), after sub-paragraph (c), there were inserted—

(d) “self-employed person” does not include a person treated as a self-employed person under regulation 6(4);”;

(b) in paragraph 6 (exemption from being treated as “a person subject to immigration control” within the meaning of section 13 of the Asylum and Immigration Act 1996 (short title, interpretation, commencement and extent) for the purposes of housing legislation)—

(i) omit the “and” after sub-paragraph (b); and

(ii) after sub-paragraph (c), insert—

“; and

(d) determining whether a person is eligible for homelessness assistance by a local housing authority in Scotland under Part 2 of the Housing (Scotland) Act 1987⁽²⁾.”;

(c) in paragraph 7 (exemption from being treated as “a person subject to immigration control” within the meaning of section 118 of the Immigration and Asylum Act 1999 (housing authority accommodation) for the purposes of housing legislation)—

(i) omit the “and” after sub-paragraph (a); and

(ii) after sub-paragraph (b), insert—

“; and

(c) determining whether a person is eligible for an allocation of housing in Scotland under Part 1 of the Housing (Scotland) Act 1987.”.

(1) [S.I. 2020/1309](#).

(2) [1987 c. 26](#); section 24(1) was amended by section 3(1)(a) of the Housing (Scotland) Act 2001 ([asp 10](#)).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
