



European Union (Withdrawal Agreement) Act 2020

2020 CHAPTER 1

PART 3

CITIZENS' RIGHTS

General

16 Regulations: supplementary

- (1) In sections 7, 8, 9 and 14—
 - (a) a power to make provision for the purpose of implementing a provision of the withdrawal agreement includes power to make provision to supplement the effect of section 7A of the European Union (Withdrawal) Act 2018 in relation to that provision of the agreement,
 - (b) a power to make provision for the purpose of implementing a provision of the EEA EFTA separation agreement includes power to make provision to supplement the effect of section 7B of that Act in relation to that provision of the agreement, and
 - (c) a power to make provision for the purpose of implementing a provision of the Swiss citizens' rights agreement includes power to make provision to supplement the effect of section 7B of that Act in relation to that provision of the agreement.
- (2) The conferral of a power on a Minister of the Crown under section 7, 8, 9 or 11 does not affect the extent of any power of a devolved authority under section 12, 13 or 14 which overlaps with a power under section 7, 8, 9 or 11 by virtue of section 17(4).
- (3) Regulations under this Part may not provide for the conferral of functions (including the conferral of a discretion) on, or the delegation of functions to, a person who is not a public authority (but may so provide if the person is a public authority).

Changes to legislation: There are currently no known outstanding effects for the European Union (Withdrawal Agreement) Act 2020, Cross Heading: General. (See end of Document for details)

- (4) In subsection (3), “public authority” means a person who exercises functions of a public nature.

17 Interpretation: Part 3

- (1) In this Part, “residence scheme immigration rules” means—
- (a) Appendix EU to the immigration rules except those rules, or changes to that Appendix, which are identified in the immigration rules as not having effect in connection with the residence scheme that operates in connection with the withdrawal of the United Kingdom from the EU, and
 - (b) any other immigration rules which are identified in the immigration rules as having effect in connection with the withdrawal of the United Kingdom from the EU.
- (2) In this Part, “relevant entry clearance immigration rules” means any immigration rules which are identified in the immigration rules as having effect in connection with the granting of entry clearance for the purposes of acquiring leave to enter or remain in the United Kingdom by virtue of residence scheme immigration rules.
- (3) In this Part, references to having leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules include references to having such leave granted by virtue of those rules before this section comes into force.
- (4) In this Part, a reference to a Chapter, Title, Part or other provision of the withdrawal agreement, EEA EFTA separation agreement or Swiss citizens' rights agreement includes a reference to—
- (a) any other provision of the agreement in question so far as relating to that Chapter, Title, Part or other provision, and
 - (b) any provision of EU law which is applied by, or referred to in, that Chapter, Title, Part or other provision (to the extent of the application or reference).
- (5) In this Part—
- “entry clearance” has the meaning given by section 33(1) of the Immigration Act 1971 (interpretation);
- “immigration rules” has the same meaning as in the Immigration Act 1971.

Changes to legislation:

There are currently no known outstanding effects for the European Union (Withdrawal Agreement) Act 2020, Cross Heading: General.