
DRAFT STATUTORY INSTRUMENTS

2020 No.

**The Citizens' Rights (Application Deadline and
Temporary Protection) (EU Exit) Regulations 2020**

PART 3

**Saving of the EEA Regulations 2016 etc. during the grace
period and whilst applications are finally determined**

Entitlement to benefits and public services

11. The provisions specified in this regulation are—

- (a) regulation 21AA (special cases: supplemental – persons from abroad) of the Income Support (General) Regulations 1987(1);
- (b) regulation 21AA (special cases: supplemental – persons from abroad) of the Income Support (General) Regulations (Northern Ireland) 1987(2);
- (c) regulation 85A (special cases: supplemental – persons from abroad) of the Jobseeker's Allowance Regulations 1996(3);
- (d) regulation 85A (special cases: supplemental – persons from abroad) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(4);
- (e) regulation 2 (persons not in Great Britain) of the State Pension Credit Regulations 2002(5);
- (f) regulation 3 (circumstances in which a person is treated as not being in the United Kingdom) of the Tax Credits (Residence) Regulations 2003(6);
- (g) regulation 2 (persons not in Northern Ireland) of the State Pension Credit Regulations (Northern Ireland) 2003(7);
- (h) regulation 10 (persons from abroad) of the Housing Benefit Regulations 2006(8);

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- (1) S.I. 1987/1967. Regulation 21AA was inserted by S.I. 2006/1026. Relevant amending instruments are S.I. 2012/2587, S.I. 2018/1084, S.I. 2019/872 and S.I. 2020/683.
 - (2) S.R. 1987 No. 459. Regulation 21AA was inserted by S.R. 2006 No. 178. Relevant amending instruments are S.R. 2012 No. 380, S.I. 2018/1085, S.R. 2019 No. 90 and S.R. 2020 No. 149.
 - (3) S.I. 1996/207. Regulation 85A was inserted by S.I. 2006/1026. Relevant amending instruments are S.I. 2012/2587, S.I. 2014/902, S.I. 2019/872 and S.I. 2020/683.
 - (4) S.R. 1996 No. 198. Regulation 85A was inserted by S.R. 2006 No. 178. Relevant amending instruments are S.R. 2012 No. 380, S.R. 2019 No. 90 and S.R. 2020 No. 149.
 - (5) S.I. 2002/1792. Regulation 2 was substituted by S.I. 2006/1026. Relevant amending instruments are S.I. 2012/1809, S.I. 2012/2587, S.I. 2016/1052, S.I. 2019/872 and S.I. 2020/683.
 - (6) S.I. 2003/654. Relevant amending instruments are S.I. 2004/1243, S.I. 2012/2612, S.I. 2019/364, S.I. 2019/713, S.I. 2019/867 and S.I. 2020/672.
 - (7) S.R. 2003 No. 28. Regulation 2 was substituted by S.R. 2006 No. 178. Relevant amending instruments are S.R. 2012 No. 380, S.R. 2019 No. 90 and S.R. 2020 No. 149.
 - (8) S.I. 2006/213. Regulation 10 was amended by S.I. 2006/1026, S.I. 2012/1809, S.I. 2012/2587, S.I. 2014/902, S.I. 2019/872 and S.I. 2020/683.

- (i) regulation 10 (persons from abroad) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006**(9)**;
- (j) regulations 23 (circumstances in which person treated as not being in Great Britain) and 27 (circumstances in which person treated as not being in Northern Ireland) of the Child Benefit (General) Regulations 2006**(10)**;
- (k) regulations 2 (interpretation), 4 (other persons from abroad who are ineligible for an allocation of housing accommodation) and 6 (other persons from abroad who are ineligible for housing assistance) of the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006**(11)**;
- (l) regulations 2 (interpretation), 3 (persons from abroad who are ineligible for an allocation of housing accommodation) and 4 (persons from abroad who are ineligible for housing assistance) of the Allocation of Housing and Homelessness (Eligibility) Regulations (Northern Ireland) 2006**(12)**;
- (m) regulation 10 (persons from abroad) of the Housing Benefit Regulations (Northern Ireland) 2006**(13)**;
- (n) regulation 10 (persons from abroad) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006**(14)**;
- (o) regulation 70 (special cases: supplemental – persons from abroad) of the Employment and Support Allowance Regulations 2008**(15)**;
- (p) regulation 70 (special cases: supplemental – persons from abroad) of the Employment and Support Allowance Regulations (Northern Ireland) 2008**(16)**;
- (q) regulation 12 (persons treated as not being in Great Britain) of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012**(17)**;
- (r) regulation 16 (persons not entitled to council tax reduction: persons treated as not being in Great Britain) of the Council Tax Reduction (Scotland) Regulations 2012**(18)**;
- (s) regulation 16 (persons not entitled to council tax reduction: persons treated as not being in Great Britain) of the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012**(19)**;
- (t) regulations 2 (interpretation) and 9 (persons treated as not being in Great Britain) of the Universal Credit Regulations 2013**(20)**;
- (u) regulation 28 (persons treated as not being in Great Britain) of the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013**(21)**;

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- (9) S.I. 2006/214. Regulation 10 was amended by S.I. 2006/217, S.I. 2006/1026, S.I. 2012/1809, S.I. 2012/2587, S.I. 2014/902, S.I. 2019/872 and S.I. 2020/683. There are other amendments which are not relevant to these Regulations.
 - (10) S.I. 2006/223. Relevant amending instruments are S.I. 2007/1250, S.I. 2012/2612, S.I. 2014/1511, S.I. 2018/788, S.I. 2019/364, S.I. 2019/867 and S.I. 2020/672.
 - (11) S.I. 2006/1294; amended by S.I. 2012/2588, S.I. 2019/861 and S.I. 2020/667. There are other amending instruments, but none is relevant. Note that references to the Immigration (European Economic Area) Regulations 2006 (S.I. 2006/1003) are to be read as references to the corresponding provision of the EEA Regulations 2016 by virtue of Schedule 7 to those Regulations (which is applied by regulation 10 of these Regulations).
 - (12) S.R. 2006 No. 397. Relevant amending instruments are S.R. 2012 No. 429 and S.R. 2019 No. 86.
 - (13) S.R. 2006 No. 405. Relevant amending instruments are S.R. 2012 No. 380, S.R. 2019 No. 90 and S.R. 2020 No. 149.
 - (14) S.R. 2006 No. 406. Relevant amending instruments are S.R. 2012 No. 380, S.R. 2019 No. 90 and S.R. 2020 No. 149.
 - (15) S.I. 2008/794. Relevant amending instruments are S.I. 2012/1809, S.I. 2012/2587, S.I. 2014/902, S.I. 2019/872 and S.I. 2020/683.
 - (16) S.R. 2008 No. 280. Relevant amending instruments are S.R. 2012 No. 380, S.R. 2019 No. 90 and S.R. 2020 No. 149.
 - (17) S.I. 2012/2885. Relevant amending instruments are S.I. 2013/3181, S.I. 2014/3312 and S.I. 2020/23.
 - (18) S.S.I. 2012/303. Regulation 16 was amended by S.S.I. 2015/46.
 - (19) S.S.I. 2012/319. Regulation 16 was amended by S.S.I. 2015/46.
 - (20) S.I. 2013/376. Relevant amending instruments are S.I. 2015/546, S.I. 2019/872 and S.I. 2020/683.
 - (21) S.I. 2013/3029 (W.301). Relevant amending instruments are S.I. 2014/66 (W.6), S.I. 2015/44 (W.3) and S.I. 2020/16 (W.2).

- (v) paragraph 19 (class of persons excluded from this scheme: persons treated as not being in Great Britain) of the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013**(22)**;
- (w) regulations 2 (interpretation), 4 (other persons from abroad who are ineligible for an allocation of housing accommodation) and 6 (other persons from abroad who are ineligible for housing assistance) of the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014**(23)**;
- (x) regulation 14C of the National Health Service (Charges to Overseas Visitors) Regulations 2015 (family members of British citizens of Northern Ireland)**(24)**;
- (y) regulations 2 (interpretation) and 9 (persons treated as not being in Northern Ireland) of the Universal Credit Regulations (Northern Ireland) 2016**(25)**.

(22) S.I. 2013/3035 (W.303). Paragraph 19 was amended by S.I. 2014/66 (W.6), S.I. 2015/44 (W.3) and S.I. 2020/16 (W.2).

(23) S.I. 2014/2603 (W.257).

(24) S.I. 2015/238. Regulation 14C was inserted by S.I. 2020/654.

(25) S.R. 2016 No. 216. Relevant amending instruments are S.R. 2019 No. 89 and S.R. 2020 No.130.