



European Union (Withdrawal Agreement) Act 2020

2020 CHAPTER 1

PART 3

CITIZENS' RIGHTS

Rights in relation to entry and residence

9 Restrictions of rights of entry and residence

- (1) A Minister of the Crown may by regulations make such provision as the Minister considers appropriate for the purpose of implementing any of the following—
- (a) Article 20(1), (3) and (4) of the withdrawal agreement (restrictions of the rights of entry and residence);
 - (b) Article 19(1), (3) and (4) of the EEA EFTA separation agreement (restrictions of the rights of entry and residence);
 - (c) Articles 17(1) and (3) and 20(3) of the Swiss citizens' rights agreement (restrictions of the rights of entry and residence).
- (2) If the Minister considers it appropriate, regulations under subsection (1) relating to the implementation of a provision mentioned in subsection (1)(a), (b) or (c) may be made so as to apply both to—
- (a) persons to whom the provision in question applies, and
 - (b) persons to whom that provision does not apply but who—
 - (i) have entry clearance granted by virtue of relevant entry clearance immigration rules (see section 17),
 - (ii) have leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules (see section 17), or
 - (iii) otherwise have leave to enter granted after arriving with entry clearance granted by virtue of relevant entry clearance immigration rules.

Status: This is the original version (as it was originally enacted).

- (3) In subsection (2)(b), references to a person who has entry clearance or leave to enter or remain include references to a person who would have had entry clearance or leave to enter or remain but for—
- (a) the making of a deportation order under section 5(1) of the Immigration Act 1971, or
 - (b) the making of any other decision made in connection with restricting the right of the person to enter the United Kingdom.
- (4) The power to make regulations under subsection (1) may (among other things) be exercised by modifying any provision made—
- (a) by or under the Immigration Acts, or
 - (b) under other primary legislation.