

## SCHEDULE 2

Regulation 5

### Amendments to the 2006 Regulations

1. In regulation 2(1), after ““the 2002 Act” means the Nationality, Immigration and Asylum Act 2002;” insert—

““the Accession Regulations” means the Accession (Immigration and Worker Registration) Regulations 2004;”.

2. In regulation 5(7), for “For the purposes of this regulation—”, substitute “Subject to regulation 7A(3), for the purposes of this regulation—”.

3. In regulation 6(2), for “A person who is no longer working shall not cease to be treated as a worker for the purpose of paragraph (1)(b) if—”, substitute “Subject to regulation 7A(4), a person who is no longer working shall not cease to be treated as a worker for the purpose of paragraph (1) (b) if—”.

4. After regulation 7, insert—

#### **“Application of the Accession Regulations**

7A.—(1) This regulation applies to an EEA national who was an accession State worker requiring registration on 30th April 2011 (‘an accession worker’).

(2) In this regulation—

“accession State worker requiring registration” has the same meaning as in regulation 1(2)(d) of the Accession Regulations;

“legally working” has the same meaning as in regulation 2(7) of the Accession Regulations.

(3) In regulation 5(7)(c), where the worker is an accession worker, periods of involuntary unemployment duly recorded by the relevant employment office shall be treated only as periods of activity as a worker—

(a) during any period in which regulation 5(4) of the Accession Regulations applied to that person; or

(b) when the unemployment began on or after 1st May 2011.

(4) Regulation 6(2) applies to an accession worker where he—

(a) was a person to whom regulation 5(4) of the Accession Regulations applied on 30th April 2011; or

(b) became unable to work, became unemployed or ceased to work, as the case maybe, on or after 1st May 2011.

(5) For the purposes of regulation 15, an accession worker shall be treated as having resided in accordance with these Regulations during any period before 1st May 2011 in which the accession worker—

(a) was legally working in the United Kingdom; or

(b) was a person to whom regulation 5(4) of the Accession Regulations applied.

(6) Subject to paragraph (7), a registration certificate issued to an accession worker under regulation 8 of the Accession Regulations shall, from 1st May 2011, be treated as if it was a registration certificate issued under these Regulations where the accession worker was legally working in the United Kingdom for the employer specified in that certificate on—

(a) 30th April 2011; or

(b) the date on which the certificate is issued where it is issued after 30th April 2011.

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

- (7) Paragraph (6) does not apply—
  - (a) if the Secretary of State issues a registration certificate in accordance with regulation 16 to an accession worker on or after 1st May 2011; and
  - (b) from the date of registration stated on that certificate.
- 5. For regulation 16(8), substitute “But this regulation is subject to regulations 7A(6) and 20(1).”