## STATUTORY INSTRUMENTS

# 2016 No. 1052

# **IMMIGRATION**

# The Immigration (European Economic Area) Regulations 2016

Made - - - - 2nd November 2016

Laid before Parliament 3rd November 2016

Coming into force in accordance with regulation 1(2)

# THE IMMIGRATION (EUROPEAN ECONOMIC AREA) REGULATIONS 2016

# PART 1

- 1. Citation and commencement
- 2. General interpretation
- 3. Continuity of residence
- 4. "Worker", "self-employed person", "self-sufficient person" and "student"
- 5. "Worker or self-employed person who has ceased activity"
- 6. "Qualified person"
- 7. "Family member"
- 8. "Extended family member"
- 9. Family members of British citizens
- 10. "Family member who has retained the right of residence"

# PART 2

# **EEA**

- 11. Right of admission to the United Kingdom
- 12. Issue of EEA family permit
- 13. Initial right of residence
- 14. Extended right of residence
- 15. Right of permanent residence
- 16. Derivative right to reside

# PART 3

- 17. Issue of registration certificate
- 18. Issue of residence card

- 19. Issue of a document certifying permanent residence and a permanent residence card
- 20. Issue of a derivative residence card
- 21. Procedure for applications for documentation under this Part and regulation 12
- 22. Verification of a right of residence

# PART 4

## ETC

- 23. Exclusion and removal from the United Kingdom
- 24. Refusal to issue or renew and revocation of residence documentation
- 25. Cancellation of a right of residence
- 26. Misuse of a right to reside
- Decisions taken on grounds of public policy, public security and public health
- 28. Application of Part 4 to a person with a derivative right to reside

## PART 5

#### EEA

- 29. Person claiming right of admission
- 30. Person refused admission
- 31. Revocation of admission
- 32. Person subject to removal
- 33. Human rights considerations and interim orders to suspend removal
- 34. Revocation of deportation and exclusion orders

# PART 6

- 35. Interpretation of Part 6
- 36. Appeal rights
- 37. Out of country appeals
- 38. Appeals to the Commission
- 39. National Security: EEA Decisions
- 40. Effect of appeals to the First-tier Tribunal or Upper Tribunal
- 41. Temporary admission to submit case in person
- 42. Alternative evidence of identity and nationality

# PART 7

- 43. Effect on other legislation
- 44. Substitution of regulation 9 of the 2006 Regulations
- 45. Revocations, savings, transitory and transitional provisions and consequential modifications
- 46. Revocation of regulation 44 and Schedule 5 Signature

# SCHEDULE 1 — CONSIDERATIONS OF PUBLIC POLICY, PUBLIC SECURITY AND THE FUNDAMENTAL INTERESTS OF SOCIETY ETC.

1. Considerations of public policy and public security

- 2. Application of paragraph 1 to the United Kingdom
- 3. Where an EEA national or the family member of an...
- 4. Little weight is to be attached to the integration of...
- 5. The removal from the United Kingdom of an EEA national...
- 6. It is consistent with public policy and public security requirements...
- 7. The fundamental interests of society

## SCHEDULE 2 — APPEALS TO THE FIRST-TIER TRIBUNAL

- 1. The following provisions of, or made under, the 2002 Act...
- 2. (1) Section 92(3) of the 2002 Act has effect as...
- 3. Tribunal Procedure Rules made under section 22 of the Tribunals,...

# SCHEDULE 3 — EFFECT ON OTHER LEGISLATION

- 1. Leave under the 1971 Act
- 2. Person not subject to restriction on the period for which they may remain
- 3. Carriers' liability under the 1999 Act

## SCHEDULE 4 — REVOCATIONS AND SAVINGS

PART 1 — Table of Revocations

- 1. (1) The Regulations listed in column 1 of the table... PART 2 Savings and modifications
- 2. Accession member States: savings and modifications

# SCHEDULE 5 — TRANSITORY PROVISIONS

- 1. Substitution of regulation 9 of the 2006 Regulations
- 2. Outstanding applications

# SCHEDULE 6 — TRANSITIONAL PROVISIONS

- 1. Interpretation
- 2. Existing documents
- 3. Verification of a right of residence
- 4. Outstanding applications
- 5. Removal decisions, deportation orders and exclusion orders under the 2006 Regulations
- 6. Certification under regulations 24AA and 29AA of the 2006 Regulations
- 7. Appeals to the Commission
- 8. Periods of residence prior to the coming into force of these Regulations

# SCHEDULE 7 — CONSEQUENTIAL MODIFICATIONS

1. (1) Unless the context otherwise requires—(a) any reference in...

**Explanatory Note**