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STATUTORY INSTRUMENTS

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**2019 No. 745**

**The Immigration, Nationality and  
Asylum (EU Exit) Regulations 2019**

**PART 2**

Immigration and Nationality

Chapter 1

Amendment of primary legislation

**Amendment of the Immigration Act 1971**

4.—(1) The Immigration Act 1971 <sup>M1</sup> is amended as follows.

(2) In section 2 (statement of right of abode in United Kingdom) <sup>M2</sup>, in subsection (2), for “and section 5(2)” substitute “, section 5(2) and section 25”.

(3) In section 25 (assisting unlawful immigration to member State) <sup>M3</sup>—

(a) in the heading, after “member State” insert “ or the United Kingdom ”;

<sup>F1</sup>(b) .....

(c) in subsection (2)—

(i) after “member State” insert “ or the United Kingdom ”;

(ii) after “of the State” insert “ or, as the case may be, of the United Kingdom ”;

(iii) in paragraphs (a), (b) and (c), after “the State” insert “ or the United Kingdom ”;

(d) after subsection (2), insert—

“(2A) In subsections (1) and (2), “national of the United Kingdom” means—

(a) a British citizen;

(b) a person who is a British subject by virtue of Part 4 of the British Nationality Act 1981 <sup>M4</sup> and who has the right of abode in the United Kingdom; or

(b) a person who is a British overseas territories citizen by virtue of a connection with Gibraltar.”;

(e) in subsection (7)(a), for the words from “a State” to the end substitute “ Norway or Iceland ”;

(f) in subsection (7)(b), for “a State on that list”, substitute “ Norway or Iceland ”;

(g) omit subsection (8).

(4) In section 25C (forfeiture of vehicle, ship or aircraft) <sup>M5</sup>, in subsection (9)(a), after “a member State” insert “ or the United Kingdom ”.

### Textual Amendments

- F1** Reg. 4(3)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2)(a), **48**

### Commencement Information

- I1** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

### Marginal Citations

- M1** [1971 c. 77](#).
- M2** Section 2 was substituted by section 39(2) of the [British Nationality Act 1981 \(c. 61\)](#). Subsection (2) was amended by section 3(3) of the [Immigration Act 1988 \(c.14\)](#). There have been other amendments to this section which are not relevant to these Regulations.
- M3** Section 25 was substituted by section 143 of the [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#). Subsection (1) was amended by paragraph 2 of Schedule 14 to the [Immigration Act 2016 \(c. 19\)](#). Subsections (7) and (8) were inserted by section 1(1) of the [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#) and amended by [S.I. 2011/1043](#). There have been other amendments to this section which are not relevant to these Regulations.
- M4** [1981 c.61](#).
- M5** Section 25C was substituted by section 143 of the [Nationality, Immigration and Asylum Act 2002](#). Subsection (9)(a) was amended by section 1(2) of the [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004](#). There have been other amendments to this section which are not relevant to these Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Immigration, Nationality and Asylum (EU Exit) Regulations 2019, Section 4.