
STATUTORY INSTRUMENTS

2020 No. 1209

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

Provisions relating to powers of refusal of admission and removal etc.

7.—(1) Subject to paragraph (2), the following provisions of Part 4 of the EEA Regulations 2016 (provisions relating to refusal of admission and removal etc.) with the modifications set out below are specified for the purposes of regulations 3 and 4—

- [^{F1}(a) regulation 23 (exclusion and removal from the United Kingdom) with the modification that in each of paragraphs (1), (5), (6)(b) and (7)(b), after “regulation 27”, there were inserted “or on conducive grounds in accordance with regulation 27A or if the person is subject to a deportation order by virtue of section 32 of the UK Borders Act 2007;”.]
- (b) regulation 24 (refusal to issue or renew and revocation of residence documentation) with the modifications that—
 - (i) in paragraph (1)—
 - (aa) “refuse to issue,” “or refuse to renew” and “the refusal or” were omitted;
 - (bb) after “public health”, there were inserted “ in accordance with regulation 27, or on conducive grounds in accordance with regulation 27A ”;
 - (ii) in paragraph (2), “or an application made by that person for such a certificate, card or document” were omitted;
 - (iii) in paragraphs (3) and (4), “or refuse to renew” were omitted;
 - (iv) in paragraph (6)(a), after “public health”, there were inserted “ in accordance with regulation 27 or on conducive grounds in accordance with regulation 27A ”;
 - (v) paragraph (7) were omitted;
- (c) regulation 25 (cancellation of a right of residence) with the modification that in paragraph (2)(b), after “regulation 27”, there were inserted “ , on conducive grounds in accordance with regulation 27A ”;
- (d) regulation 26 (misuse of a right to reside) with the modification that in paragraph (1)(a) “(as determined by reference to Council Directive [2004/38/EC](#) and the EU Treaties)” were omitted;
- (e) regulation 27 (decisions taken on grounds of public policy, public security and public health);
- (f) as if, after regulation 27, there were inserted—

“Decisions taken on conducive grounds

27A.—(1) An EEA decision may be taken on the ground that the decision is conducive to the public good.

(2) But a decision may only be taken under this regulation in relation to a person as a result of conduct of that person that took place after IP completion day.”;

- (g) regulation 28 (application of Part 4 to a person with a derivative right to reside) with the modification that paragraph (1)(c) were omitted;
- (h) Schedule 1 (considerations of public policy, public security and the fundamental interests of society etc.) with the modification that for paragraph 1 there were substituted—

“**1.** The United Kingdom enjoys considerable discretion, acting within the parameters set by the law, to define its own standards of public policy and public security, for purposes tailored to its individual context from time to time.”.

(2) The provisions specified in paragraph (1) do not apply in any case where regulations made under section 9 of the European Union (Withdrawal Agreement) Act 2020 (restrictions of rights of entry and residence) apply.

F1 Reg. 7(1)(a) substituted (31.12.2020 immediately before IP completion day) by [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), **49(2)**

Commencement Information

I1 Reg. 7 in force at 31.12.2020, see reg. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020, Section 7.