STATUTORY INSTRUMENTS

2020 No. 1309

The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020

PART 4

Nationality

CHAPTER 1

Amendment of primary legislation

Amendment of the British Nationality Act 1981

78.—(1) The British Nationality Act 1981(**1**) is amended as follows.

(2) In section 50A (meaning of references to being in breach of immigration laws)(**2**)—

    (a) in subsection (4)—

        (i) after paragraph (b) insert—

            "(ba)   is not an Irish citizen who does not require leave to enter or remain in the United Kingdom (see section 3ZA of the Immigration Act 1971);";

        (ii) omit paragraphs (d) and (e);

    (b) omit subsection (5).

Amendment of the Borders, Citizenship and Immigration Act 2009

79.—(1) The Borders, Citizenship and Immigration Act 2009(**3**) is amended as follows.

(2) In section 39(2) (application requirements general), in paragraph 1(2) inserted into Schedule 1 to the British Nationality Act 1981 ("the 1981 Act"), in paragraph (d)—

    (a) for "a qualifying CTA entitlement" substitute "the relevant status as an Irish citizen";

    (b) omit "or a permanent EEA entitlement".

(3) In section 39(11), in paragraph 2A(1) inserted into Schedule 1 to the 1981 Act—

    (a) for paragraph (d) substitute—

        "(d)   the relevant status as an Irish citizen, or";

    (b) omit paragraph (f).

(**1**) 1981. c. 61.
(**2**) Section 50A was inserted by section 48(1) of the Borders, Citizenship and Immigration Act 2009 (c. 11).
(**3**) 2009 c. 11.

(4) In section 40(3)(application requirements: family members general), in paragraph 3(2)(d)(ii) inserted into Schedule 1 to the 1981 Act for "a qualifying CTA entitlement" substitute "the relevant status as an Irish citizen".

(5) In section 40(5), in paragraph 4A(1) inserted into Schedule 1 to the 1981 Act, for paragraph (d) substitute—

"(d)   the relevant status as an Irish citizen; or".

(6) In section 49(3), in paragraph 11 inserted into Schedule 1 to the 1981 Act—

(a) for sub-paragraph (5) substitute—

"(5) A person has the relevant status as an Irish citizen if the person is an Irish citizen who does not require leave to enter or remain in the United Kingdom (see section 3ZA of the Immigration Act 1971).";

(b) omit sub-paragraphs (7) and (8).