
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 2

IMMIGRATION

Chapter 1

Amendment and saving of primary legislation

Amendment and saving of the Immigration Act 2014

- 20.**—(1) The Immigration Act 2014 ^{M1} is amended in accordance with paragraphs (2) to (7).
- (2) In section 21 (persons disqualified from renting or with limited right to rent)—
- (a) omit subsection (4)(b)(ii) (and the “and” before that);
 - (b) in subsection (5)—
 - (i) after paragraph (a) insert—

“(aa) an Irish citizen, or
 - (ab) a person who is not an Irish citizen and who has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules within the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020.”;
 - (ii) omit paragraphs (b) and (c).
- (3) In section 27 (eligibility period in relation to person with limited right to rent) ^{M2}, omit subsection 6(a) (and the “or” at the end of it).
- (4) In section 39 (related provision: charges for health services)—
- (a) in subsection (1)(b), after “limited period” insert “ unless that leave was granted by virtue of residence scheme immigration rules ”;
 - (b) after subsection (2) insert—

“(3) For the purposes of subsection (1) “residence scheme immigration rules” has the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020.”.
- (5) In section 49 (meaning of “exempt person” in relation to investigations into sham marriages) ^{M3}, omit subsection (2)(a).
- (6) In section 62 (interpretation of Part 4, relating to marriage and civil partnership) ^{M4}, in subsection (1), in the definition of “relevant national”—
- (a) after paragraph (a) insert—

- “(aa) an Irish citizen;
- (ab) a person who is not an Irish citizen who—
- (i) has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules within the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020, or
 - (ii) is an applicant for the purposes of regulation 4 of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020 (applications which have not been finally determined by the deadline) where the relevant period within the meaning of that regulation has not expired;”;

(b) omit paragraphs (b) and (c).

(7) In section 70A (power to impose a charge on sponsors who make immigration skills arrangements) ^{M5}—

(a) in subsection (6)—

(i) after paragraph (a) insert—

“(aa) an Irish citizen;”;

(ii) for paragraph (b) substitute—

“(b) a person who has leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules.”;

(iii) omit paragraphs (c) and (d);

(b) in subsection (7) after “1971” insert “ and “residence scheme immigration rules” has the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020. ”.

(8) The amendments made by paragraph (7) do not affect the operation of any regulations which were made under section 70A of the Immigration Act 2014 before 1st December 2020.

Commencement Information

- I1** Reg. 20(1)-(4) not in force at made date, see [reg. 1](#)
- I2** Reg. 20(1)-(4) in force at 31.12.2020, see reg. 1(2) and [S.I. 2020/1279](#), [reg. 4\(c\)](#)
- I3** Reg. 20(5)(6) in force at 1.7.2021, see [reg. 1\(2\)\(c\)](#)
- I4** Reg. 20(7)(8) in force at 1.12.2020, see [reg. 1\(2\)\(b\)](#)

Marginal Citations

- M1** [2014 c. 22](#).
- M2** [Section 27\(6\)\(a\)](#) was amended by [S.I. 2019/745](#). Those amendments are not yet in force and are revoked by regulation 48 of these Regulations before they come into force.
- M3** [Section 49\(2\)](#) was amended by [S.I. 2019/745](#).
- M4** The definition of “relevant national” in section 62 was amended by [S.I. 2019/745](#).
- M5** [Section 70A](#) was inserted by section 85(1) and (2) of the Immigration Act 2016 and amended by [S.I. 2019/745](#). The amendments made by [S.I. 2019/745](#) are not yet in force and are revoked by regulation 48 of these Regulations before they come into force.

Changes to legislation:

There are currently no known outstanding effects for the The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020, Section 20.