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STATUTORY INSTRUMENTS

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**2020 No. 61**

**EXITING THE EUROPEAN UNION  
IMMIGRATION**

**The Immigration (Citizens' Rights  
Appeals) (EU Exit) Regulations 2020**

*Approved by both Houses of Parliament*

*Made - - - - 27th January 2020*

*Laid before Parliament 30th January 2020*

*Coming into force in accordance with regulation 1*

**THE IMMIGRATION (CITIZENS' RIGHTS  
APPEALS) (EU EXIT) REGULATIONS 2020**

PART 1

General

1. Citation and commencement
2. Interpretation

PART 2

Appeals in respect of citizens' rights immigration decisions

CHAPTER 1

Appeals: general

*Decisions other than those relating to frontier workers*

3. Right of appeal against decisions relating to leave to enter or remain in the United Kingdom made by virtue of residence scheme immigration rules
4. Right of appeal against decisions under section 76 of the 2002 Act to revoke indefinite leave to enter or remain by virtue of residence scheme immigration rules
5. Right of appeal against decisions made in connection with scheme entry clearance

**Changes to legislation:** There are currently no known outstanding effects for the The Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020. (See end of Document for details)

6. Right of appeal against decisions to make a deportation order in respect of a person other than a person claiming to be a frontier worker or a person with a healthcare right of entry

*Decisions relating to frontier workers*

- 6A Right of appeal against decisions relating to issue, renewal or revocation of frontier worker permits
- 6B Right of appeal against decisions to refuse frontier workers admission to the United Kingdom
- 6C Right of appeal against decision to revoke admission to the United Kingdom
- 6D Right of appeal against certain decisions to remove frontier workers from the United Kingdom
- 6E Right of appeal against decisions to make deportation order in respect of frontier workers
- 6F Alternative evidence of identity and nationality

*Decisions relating to persons with a healthcare right of entry*

- 6G Right of appeal against decisions relating to leave to enter or remain in the United Kingdom granted to or obtained by a person with a healthcare right of entry
- 6H Right of appeal against decisions made in connection with healthcare entry clearance
- 6I Right of appeal against decision to vary leave under article 5 of the 1972 Order
- 6J Right of appeal against decisions to make a deportation order in respect of a person with a healthcare right of entry
7. Appeal to the Tribunal or the Special Immigration Appeals Commission
8. Grounds of appeal
9. Matters to be considered by the relevant authority
10. Determination of appeal

## CHAPTER 2

Appeals before the Tribunal: admission on bail and other procedural matters

11. Application of the 2002 Act to appeals to the Tribunal
12. Admission on bail to the United Kingdom to make submissions in person in connection with an appeal

## CHAPTER 3

Procedural matters and certification

13. Pending appeal
- 13A Continuation of leave during specified appeals
14. Place from which an appeal may be brought or continued: general
15. National security decisions: place from which an appeal may be brought or continued, certification of removal etc.
16. Other appealable decisions: certification of removal
- 16A Other appealable decisions: certification of removal in cases of abuse of rights or fraud

## PART 3

### Consequential amendments

17. Consequential amendments  
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#### SCHEDULE 1 — Appeals to the Special Immigration Appeals Commission

##### PART 1 — Certification of appealable decisions on national security etc. grounds

1. Certification that decision was taken on national security etc. grounds
  2. Certification that decision was taken on information which cannot be disclosed for reasons of national security etc.
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- ##### PART 2 — Application of the 1997 Act to appeals to the Special Immigration Appeals Commission
4. Application of the 1997 Act to appeals under these Regulations

#### SCHEDULE 2 — Application of the 2002 Act to appeals to the Tribunal

1. Application of provisions of the 2002 Act in connection with appeals to the Tribunal
2. General modifications
3. Specific modifications

#### SCHEDULE 3 — Admission on bail to the United Kingdom to make submissions in person in connection with an appeal

1. Application for permission to be admitted on bail to the United Kingdom to make submissions in person
2. Application of enactments to person given permission under paragraph 1

#### SCHEDULE 4 — Consequential amendments

##### PART 1 — Amendment of primary legislation

1. Amendment of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision)
2. Amendment of section 2C of the Special Immigration Appeals Commission Act 1997 (jurisdiction: review of certain exclusion decisions)

##### PART 2 — Amendment of subordinate legislation

3. Amendment of the Immigration (Notices) Regulations 2003
4. Amendment of the Special Immigration Appeals Commission (Procedure) Rules 2003
5. Amendment of the Tribunal Procedure (Upper Tribunal) Rules 2008
6. Amendment of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020.