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STATUTORY INSTRUMENTS

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**2021 No. 29**

**The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021**

**Amendment of regulation 12**

5. In regulation 12 (persons treated as not being in Great Britain)—
- (a) in paragraph (4A)—
    - (i) omit sub-paragraph (a);
    - (ii) at the end of sub-paragraph (b) omit “or”;
    - (iii) at the end of sub-paragraph (c) insert—
      - “; or
      - (d) having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.”;
  - (b) after paragraph (4A) insert—
    - “(4B) Paragraph (4A)(b) does not apply to a person who—
      - (a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and
      - (b) would have a right to reside under the EEA Regulations<sup>(1)</sup> if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (4)(a) or (b).”;
  - (c) in paragraph (5)(b) omit the words “within the meaning of regulation 7(1)(a), (b) or (c) of the EEA Regulations”;
  - (d) after paragraph (5)(c) insert—
    - “(ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (4A)(b), provided that the relevant person of Northern Ireland falls within paragraph (5)(a), or would do so but for the fact that they are not an EEA national;
    - (cb) a frontier worker within the meaning of regulation 3 of the Citizens’ Rights (Frontier Workers) (EU Exit) Regulations 2020<sup>(2)</sup>;
    - (cc) a family member of a person referred to in sub-paragraph (cb), who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971<sup>(3)</sup>.”;
  - (e) in paragraph (8)—

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(1) See the definition of “the EEA Regulations” in regulation 12(8) of [S.I. 2012/2885](#), amended by regulation 5(e) of these Regulations.  
(2) [S.I. 2020/1213](#).  
(3) [1971 c.77](#).

- (i) at the appropriate places insert—
- ““EEA national” has the meaning given in regulation 2(1) of the EEA Regulations;”;
  - ““family member” has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) of the EEA Regulations does not apply for the purposes of paragraphs (4B) and (5)(ca);”;
  - ““relevant person of Northern Ireland” has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971.”;
- (ii) at the end of the definition of EEA Regulations insert “and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020(4)”.