



Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020

2020 CHAPTER 20

PART 1

MEASURES RELATING TO ENDING FREE MOVEMENT

2 Irish citizens: entitlement to enter or remain without leave

- (1) The Immigration Act 1971 is amended as follows.
- (2) After section 3 insert—

“3ZA Irish citizens

- (1) An Irish citizen does not require leave to enter or remain in the United Kingdom, unless subsection (2), (3) or (4) applies to that citizen.
- (2) This subsection applies to an Irish citizen if the Irish citizen is subject to a deportation order made under section 5(1).
- (3) This subsection applies to an Irish citizen if—
 - (a) the Secretary of State has issued directions for the Irish citizen not to be given entry to the United Kingdom on the ground that the Irish citizen's exclusion is conducive to the public good,
 - (b) the Secretary of State has given the Irish citizen notice of the directions, and
 - (c) the directions have not been withdrawn.
- (4) This subsection applies to an Irish citizen if the Irish citizen is an excluded person for the purposes of section 8B (persons excluded under certain instruments).
- (5) Where subsection (2), (3) or (4) applies to an Irish citizen, section 1(3) does not permit the Irish citizen to enter the United Kingdom without leave on

Changes to legislation: There are currently no known outstanding effects for the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020, Section 2. (See end of Document for details)

arriving in the United Kingdom on a local journey from any place in the common travel area.”

- (3) In section 9 (further provisions about the common travel area)—
- (a) in subsection (2), in the closing words, after “British citizens” insert “ or Irish citizens ”;
 - (b) in subsection (4), in the opening words, after “British citizen” insert “ or an Irish citizen ”.
- (4) In Schedule 4 (integration with UK law of immigration law of the Islands)—
- (a) in paragraph 1, in sub-paragraphs (1) and (2), after “British citizen” insert “ or an Irish citizen ”;
 - (b) in paragraph 4, after “British citizen” insert “ or an Irish citizen ”.

Modifications etc. (not altering text)

- C1** Pt. 1 extended (Jersey) (with modifications) (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Immigration \(EU Withdrawal\) \(Jersey\) Order 2020 \(S.I. 2020/1566\)](#), arts. 1(1), 2, [Sch. 2](#).
- C2** Pt. 1 extended (Guernsey) (with modifications) (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Immigration \(Guernsey\) Order 2020 \(S.I. 2020/1560\)](#), arts. 1(1), 6, [Sch. 5](#), [Sch. 5A](#).
- C3** S. 2 extended (Guernsey) (with modifications) (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Immigration \(Guernsey\) Order 2020 \(S.I. 2020/1560\)](#), arts. 1(1), 6, [Sch. 5](#), [Sch. 5A](#).
- C4** S. 2 extended (Isle of Man) (with modifications) (coming into force in accordance with art. 1(2) of the amending S.I.) by [S.I. 2008/680](#), art. 23(1)(2)(b), [Sch. 10](#) (as inserted by [The Immigration \(Isle of Man\) \(Amendment\) \(No. 3\) Order 2020 \(S.I. 2020/1576\)](#), art. 7, [Sch.](#))

Commencement Information

- I1** [S. 2](#) in force at 31.12.2020 immediately before IP completion day by [S.I. 2020/1279](#), [reg. 3](#) (with saving in [S.I. 2020/1309](#), [regs. 1\(2\)](#), 84, [Sch. 5 para. 10](#))

Changes to legislation:

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