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## STATUTORY INSTRUMENTS

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### 2020 No. 1209

## The Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020

### PART 3

Saving of the EEA Regulations 2016 etc. during the grace period and whilst applications are finally determined

#### Provisions relating to definitions etc.

5. The following provisions of Part 1 of the EEA Regulations 2016 (provisions relating to definitions etc.) with the modifications set out below are specified for the purposes of regulations 3 and 4—

- (a) regulation 2 (general interpretation) with the modifications that—
  - (i) all instances of the words “or any other right conferred by the EU Treaties”—
    - (aa) in so far as they relate to things done on or after exit day but before IP completion day, were a reference to a right conferred by the EU Treaties so far as they were applicable to and in the United Kingdom by virtue of Part 4 of the EU withdrawal agreement <sup>M1</sup>;
    - (bb) in so far as they relate to things done on or after IP completion day, were omitted;
  - (ii) all instances of the words “or the EU Treaties”—
    - (aa) in so far as they relate to things done after exit day but before IP completion day, were a reference to the EU Treaties so far as they were applicable to and in the United Kingdom by virtue of Part 4 of the EU withdrawal agreement;
    - (bb) in so far as they relate to things done on or after IP completion day, were omitted;
  - (iii) in paragraph (b) of the definition of “EEA decision”, “, a registration certificate, residence card, derivative residence card, document certifying permanent residence or permanent residence card” were omitted;
  - (iv) in the definition of “EEA State”, so far as relevant to things done after exit day, “, other than the United Kingdom” were omitted;
- (b) regulation 3 (continuity of residence);
- (c) regulation 4 (“worker”, “self-employed person”, “self-sufficient person” and “student”) with the modification that, in paragraph (1)(b), for “in accordance with” there were substituted “within the meaning of”;
- (d) regulation 5 (“worker or self-employed person who has ceased activity”);
- (e) regulation 6 (“qualified person”) with the modifications that—
  - (i) in paragraph (4C), “and having a genuine chance of being engaged” were omitted;

- (ii) in paragraph (6), after “employment and” there were inserted “ , when determining whether the person is a jobseeker, ”;
- (iii) in paragraph (7), after “continuing to seek employment and” there were inserted “ , where that person is a jobseeker, ”;
- (f) regulation 7 (“family member”);
- (g) regulation 8 (“extended family member”) with the modification that paragraph (8)(c) were omitted;
- (h) regulation 9 (family members and extended family members of British citizens) with the modifications that—
  - (i) in paragraph (1), at the end there were inserted “and BC is to be treated as satisfying any requirement to be a qualified person”;
  - (ii) sub-paragraph (a) of paragraph (3) were omitted;
  - (iii) paragraph (7) were omitted;
- (i) regulation 9A (dual national: national of an EEA State who acquires British citizenship);
- (j) regulation 10 (“family member who has retained the right of residence”) with the modification that, in paragraph (5)(a), “the initiation of proceedings for” were omitted.

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**Commencement Information**

**II** [Reg. 5](#) in force at 31.12.2020, see [reg. 1\(1\)](#)

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**Marginal Citations**

**M1** [Part 4](#) of the withdrawal agreement provides for a transition period.

**Changes to legislation:**

There are currently no known outstanding effects for the The Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020, Section 5.