
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 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

15.—(1) The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 ^{M1} is amended as follows.

(2) In section 2 (offences to do with entering the United Kingdom without a passport) ^{M2}—

(a) in subsection (4)—

(i) for paragraph (a) substitute—

“(a) to prove that he is —

(i) an Irish citizen,

(ii) has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules, or

(iii) is a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020

^{M3}”;

(ii) omit paragraph (b);

(b) in subsection (5)—

(i) for paragraph (a) substitute—

“(a) to prove that the child is—

(i) an Irish citizen,

(ii) has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules, or

(iii) is a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020;”;

(ii) omit paragraph (b);

(c) in subsection (12)—

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 15. (See end of Document for details)

- (i) omit the definition of “EEA national”;
 - (ii) in the definition of “immigration document” omit the “and” after paragraph (b);
 - (iii) after the definition of “leave or asylum interview” insert—
 - ““residence scheme immigration rules” has the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020.”.
- (3) In section 19 (England and Wales) ^{M4}—
- (a) in subsection (2)(a) (procedure for marriage: England and Wales)—
 - (i) after “district” insert “ which is ”;
 - (ii) after “State” insert “ and is the appropriate registration district ”;
 - (b) after subsection (2) insert—
 - “(2A) For the purposes of subsection (2) “the appropriate registration district” means—
 - (a) if the parties have resided in the same specified registration district for the period of seven days immediately before the giving of the notice (“the 7 day period”), that specified registration district,
 - (b) if one or both of the parties have resided in a specified registration district (but not the same specified registration district) for the 7 day period, the specified registration district in which one of them has resided for that period, or
 - (c) if neither of the parties has resided in a specified registration district for the 7 day period, any specified registration district.
 - (2B) In subsection (2A), “specified registration district” means a registration district specified for the purposes of subsection (2)(a) by regulations made under that provision.”.

Commencement Information

- I1** Reg. 15(1)(2) not in force at made date, see reg. 1
- I2** Reg. 15(1)(2) in force at 31.12.2020, see reg. 1(2) and [S.I. 2020/1279](#), [reg. 4\(c\)](#)
- I3** Reg. 15(3) in force at 1.7.2021, see [reg. 1\(2\)\(c\)](#)

Marginal Citations

- M1** [2004 c. 19](#).
- M2** [Section 2](#) was amended by [S.I. 2011/1043](#) and 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. There have been other amendments to section 2 but none are relevant.
- M3** [S.I. 2020/1213](#).
- M4** There are amendments to section 19 but none are relevant to these Regulations.

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 15.