
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Immigration, Nationality and
Asylum (EU Exit) Regulations 2019

PART 2

Immigration and Nationality

Chapter 1

Amendment of primary legislation

Amendment of the Aliens' Employment Act 1955

3.—(1) The Aliens' Employment Act 1955(1) is amended as follows.

(2) In section 1(5) (definition of a “relevant European”)—

(a) for paragraph (a) substitute—

“(a) a national of an EEA State or a person, other than a person to whom paragraph (b) applies, who is entitled to reside in the United Kingdom by virtue of regulation 13, 14, 15 or 16 of the Immigration (European Economic Area) Regulations 2016(2);”;

(b) for paragraph (b) substitute—

“(b) a Swiss national or a person who is entitled to take up any activity as an employed person in the United Kingdom by virtue of rights which—

(i) are derived from Article 7(e) of the Swiss free movement agreement and Article 3(5) of Annex 1 of that agreement, and

(ii) continue to be recognised and available in domestic law by virtue of section 4 of the European Union (Withdrawal) Act 2018;”;

(c) for paragraph (c) substitute—

“(c) a person who is entitled to take up any activity as an employed person in the United Kingdom by virtue of rights which—

(i) are derived from Article 6(1) or 7 (rights of certain Turkish nationals and their family members to take up any economic activity, whatever their nationality) of Decision 1/80 of 19 September 1980 of the Association Council set up by the Agreement establishing an Association between the European Economic Community and Turkey, signed at Ankara on 12 September 1963, and

(ii) continue to be recognised and available in domestic law by virtue of section 4 of the European Union (Withdrawal) Act 2018.”.

(1) 1955 c. 18. Section 1(5) was inserted by S.I. 2007/617.

(2) S.I. 2016/1052. Regulations 13 to 16 were amended by S.I. 2018/801. There have been other amendments to the Regulations which are not relevant to these Regulations.

(3) After section 1(5) insert—

“(5A) In subsection (5), “the Swiss free movement agreement” means the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons (done at Luxembourg on 21 June 1999).”.