

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union including deficiencies arising from the end of the implementation period and other effects of the withdrawal agreement.

These Regulations are also made in exercise of the powers in the Healthcare (European Economic Area and Switzerland Arrangements) Act 2019 (c. 14).

Part 2 amends the Social Security Coordination (Reciprocal Healthcare) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/776) to reflect certain healthcare entitlements in the withdrawal agreement, the EEA EFTA separation agreement and the Swiss citizens' rights agreement. Regulation 6 omits provisions which would continue on a transitional basis, until 31st December 2020, EU-derived healthcare legislation, namely Regulation (EC) No 883/2004, Regulation (EC) No 987/2009, Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72 (as extended by Regulation (EC) No 859/2003).

Part 3 amends the National Health Service (Cross-Border Healthcare and Miscellaneous Amendments etc.) (EU Exit) Regulations 2019 (S.I. 2019/777). It substitutes references to exit day with references to IP completion day (which is 11 pm on 31st December 2020). Regulation 11 omits provisions which would continue on a transitional basis, until 31st December 2020, legislation relating to cross-border healthcare in England.

Part 4 amends the Health Services (Cross-Border Healthcare and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/784). It substitutes references to exit day with references to IP completion day, and regulation 16 omits provisions which would continue on a transitional basis, until 31st December 2020, legislation relating to cross-border healthcare in Northern Ireland.

Part 5 makes a miscellaneous consequential amendment.

An impact assessment has not been produced in relation to this instrument. An explanatory memorandum has been published alongside this instrument at www.legislation.gov.uk.