



# European Union (Withdrawal Agreement) Act 2020

## 2020 CHAPTER 1

### PART 3

#### CITIZENS' RIGHTS

##### *Rights in relation to entry and residence*

#### **9 Restrictions of rights of entry and residence**

- (1) A Minister of the Crown may by regulations make such provision as the Minister considers appropriate for the purpose of implementing any of the following—
- (a) Article 20(1), (3) and (4) of the withdrawal agreement (restrictions of the rights of entry and residence);
  - (b) Article 19(1), (3) and (4) of the EEA EFTA separation agreement (restrictions of the rights of entry and residence);
  - (c) Articles 17(1) and (3) and 20(3) of the Swiss citizens' rights agreement (restrictions of the rights of entry and residence).
- (2) If the Minister considers it appropriate, regulations under subsection (1) relating to the implementation of a provision mentioned in subsection (1)(a), (b) or (c) may be made so as to apply both to—
- (a) persons to whom the provision in question applies, and
  - (b) persons to whom that provision does not apply but who—
    - (i) have entry clearance granted by virtue of relevant entry clearance immigration rules (see section 17),
    - (ii) have leave to enter or remain in the United Kingdom granted by virtue of residence scheme immigration rules (see section 17), or
    - (iii) otherwise have leave to enter granted after arriving with entry clearance granted by virtue of relevant entry clearance immigration rules.

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**Changes to legislation:** There are currently no known outstanding effects for the European Union (Withdrawal Agreement) Act 2020, Section 9. (See end of Document for details)

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- (3) In subsection (2)(b), references to a person who has entry clearance or leave to enter or remain include references to a person who would have had entry clearance or leave to enter or remain but for—
- (a) the making of a deportation order under section 5(1) of the Immigration Act 1971, or
  - (b) the making of any other decision made in connection with restricting the right of the person to enter the United Kingdom.
- (4) The power to make regulations under subsection (1) may (among other things) be exercised by modifying any provision made—
- (a) by or under the Immigration Acts, or
  - (b) under other primary legislation.

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**Commencement Information**

**II** S. 9 in force at 19.5.2020 by S.I. 2020/518, reg. 2(c)

**Changes to legislation:**

There are currently no known outstanding effects for the European Union (Withdrawal Agreement) Act 2020, Section 9.