



Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020

2020 CHAPTER 20

PART 1

MEASURES RELATING TO ENDING FREE MOVEMENT

3 Protection claimants: legal routes from the EU and family reunion

- (1) The Secretary of State must review, or arrange for a review of, the ways in which protection claimants who are in a member State are able to enter the United Kingdom lawfully.
- (2) For the purposes of this section a “protection claimant” is a person who—
 - (a) has made an application for international protection to a member State, or
 - (b) is not a national of a member State and is seeking to come to the United Kingdom from a member State for the purpose of making a protection claim.
- (3) The review under subsection (1) must, in particular—
 - (a) consider the position of unaccompanied children in member States who are protection claimants and are seeking to come to the United Kingdom to join relatives there, and
 - (b) include a public consultation on that aspect of the review.
- (4) The Secretary of State must, within the period of three months beginning with the day on which this Act is passed, lay before Parliament a statement providing further details about the review under subsection (1) and, in particular, about the aspect of the review described in subsection (3).
- (5) After the review, the Secretary of State must—
 - (a) prepare a report on the outcome of the review or arrange for such a report to be prepared, and
 - (b) publish the report and lay it before Parliament.

(6) In this section—

“application for international protection” has the meaning given by Article 2(h) of [Directive 2011/95/EU](#) of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted;

“protection claim” has the same meaning as in Part 5 of the Nationality, Immigration and Asylum Act 2002 (see section 82(2) of that Act);

“relative”, in relation to an unaccompanied child, means a parent, grandparent, uncle, aunt, brother or sister of the child;

“unaccompanied child” means a person under the age of 18 (“the child”) who is not in the care of a person who—

- (a) is aged 18 or over, and
- (b) by law or custom of the country or territory in which the child is present, has responsibility for caring for the child.