

STATUTORY INSTRUMENTS

2013 No. 1460

The Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013

PART 2

APPLICATION OF THE EEA REGULATIONS AND OTHER INSTRUMENTS

Transitional provisions to take account of the application of the EEA Regulations to Croatian nationals and their family members on 1st July 2013

6.—(1) Where, before 1st July 2013, any direction has been given for the removal of a Croatian national or the family member of such a national under paragraphs 8 to 10A of Schedule 2 (removal of persons refused leave to enter and illegal entrants)^{M1} to the 1971 Act, section 10 (removal of certain persons unlawfully in the United Kingdom) of the 1999 Act or section 47 (removal: persons with statutorily extended leave) of the 2006 Act, that direction shall cease to have effect on that date.

(2) Where before 1st July 2013 the Secretary of State has made a deportation order against a Croatian national or the family member of such a national under section 5(1) (deportation orders) of the 1971 Act—

- (a) that order shall, on and after 1st July 2013, be treated as if it were a decision under regulation 19(3)(b) of the EEA Regulations; and
- (b) any appeal against that order, or against the refusal of the Secretary of State to revoke the deportation order, made before 1st July 2013 under section 63 (deportation orders)^{M2} of the 1999 Act, or under section 82(2)(j) or (k) (right of appeal: general) of the 2002 Act shall, on or after that date, be treated as if it had been made under regulation 26 of the EEA Regulations.

(3) In this regulation—

- (a) “the 1999 Act” means the Immigration and Asylum Act 1999^{M3};
- (b) “the 2002 Act” means the Nationality, Immigration and Asylum Act 2002^{M4}, and
- (c) any reference to the family member of a Croatian national is, in addition to the definition set out in regulation 1(2), a reference to a person who on 1st July 2013 acquires a right to reside in the United Kingdom under the EEA Regulations as the family member of a Croatian national.

Marginal Citations

- M1** Paragraphs 8 to 10 have been amended by section 10 of, and the Schedule to, the [Immigration Act 1988 \(c.14\)](#), section 12 of, and Schedule 2 to, the [Asylum and Immigration Act 1996 \(c. 49\)](#) and section 114 of, and Schedule 7 to, the [Nationality, Immigration and Asylum Act 2002](#); [paragraph 10A](#) was inserted by section 73 of the 2002 Act.

Changes to legislation: There are currently no known outstanding effects for the The Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013, Section 6. (See end of Document for details)

- M2** [Section 63](#) of the 1999 Act was repealed by section 161 of, and Schedule 9 to, the Nationality, Immigration and Asylum Act 2002 but continues to have effect in relation to appeals made before 1st April 2003.
- M3** [1999 c.33](#).
- M4** [2002 c.41](#).

Changes to legislation:

There are currently no known outstanding effects for the The Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013, Section 6.