

SCHEDULE 1

Amendments to the 2006 Regulations

Commencement Information

- II** Sch. 1 partly in force at 1.1.2014, Sch. 1 para. 6(a)(b), 19(a), 20(b), 22, 23, 25(a) in force at 7.4.2014, see reg. 2

New regulation 20B (Verification of right to reside)

16. After regulation 20A insert—

“Verification of a right of residence

20B.—(1) This regulation applies when the Secretary of State—

- (a) has reasonable doubt as to whether a person (“A”) has a right to reside under regulation 14(1) or (2); or
- (b) wants to verify the eligibility of a person (“A”) to apply for documentation issued under Part 3.

(2) The Secretary of State may invite A to—

- (a) provide evidence to support the existence of a right to reside, or to support an application for documentation under Part 3; or
- (b) attend an interview with the Secretary of State.

(3) If A purports to be entitled to a right to reside on the basis of a relationship with another person (“B”), the Secretary of State may invite B to—

- (a) provide information about their relationship with A; or
- (b) attend an interview with the Secretary of State.

(4) If, without good reason, A or B fail to provide the additional information requested or, on at least two occasions, fail to attend an interview if so invited, the Secretary of State may draw any factual inferences about A's entitlement to a right to reside as appear appropriate in the circumstances.

(5) The Secretary of State may decide following an inference under paragraph (4) that A does not have or ceases to have a right to reside.

(6) But the Secretary of State must not decide that A does not have or ceases to have a right to reside on the sole basis that A failed to comply with this regulation.

(7) This regulation may not be invoked systematically.

(8) In this regulation, “a right to reside” means a right to reside under these Regulations.”.

Changes to legislation:

There are currently no known outstanding effects for the The Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2013, Paragraph 16.