
STATUTORY INSTRUMENTS

2019 No. 745

**The Immigration, Nationality and
Asylum (EU Exit) Regulations 2019**

PART 2

Immigration and Nationality

Chapter 2

Amendment of subordinate legislation

Amendment of the Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015

40. In Schedule 1 to the Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015 ^{M1} (evidence of particular immigration status), in paragraph 1 (permanent residence)—

(a) in sub-paragraph (1)—

- (i) for “an enforceable EU right” substitute “ a retained enforceable EU right ”;
- (ii) after “1972” insert “ as that provision is modified from time to time ”;

(b) in sub-paragraph (2)—

- (i) the words after “In this paragraph” become a new sub-paragraph;
- (ii) at the end insert—

““retained enforceable EU right” means a right that—

- (a) was created or arose by or under the EU Treaties before the time when the Immigration, Nationality and Asylum (EU Exit) Regulations 2019 come into force, and
- (b) forms part of retained EU law by virtue of section 3 or 4 of the European Union (Withdrawal) Act 2018,

as that right is modified from time to time. ”.

Commencement Information

II Reg. 40 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M1 [S.I. 2015/404](#).

Changes to legislation:

There are currently no known outstanding effects for the The Immigration, Nationality and Asylum (EU Exit) Regulations 2019, Section 40.