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EXITING THE EUROPEAN UNION
IMMIGRATION

**The Citizens' Rights (Application Deadline and Temporary
Protection) (EU Exit) Regulations 2020**

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CORRECTION

Page 2 and 3, regulation 3(6): the numbering of the sub-paragraphs within each definition should start at (a), such that it reads as follows:

“

(6) In this regulation—

“EEA document” means—

- (a) an EEA family permit issued under regulation 12 of the EEA Regulations 2016;
- (b) a registration certificate issued under regulation 17 of those Regulations, or
- (c) a residence card issued under regulation 18 of those Regulations;

“family member”—

- (a) has the same meaning as in paragraph (1) of regulation 7 of the EEA Regulations 2016 (read with paragraph (2) of that regulation) as those Regulations had effect immediately before IP completion day, and
- (b) includes an extended family member within the meaning of regulation 8 of those Regulations as they had effect immediately before IP completion day if that person—
 - (i) immediately before IP completion day satisfied the condition in regulation 8(5) of those Regulations (durable partner), or
 - (ii) holds a valid EEA document (regardless of whether that document was issued before or after IP completion day);

“relevant family member”, in relation to a person (“P”), means a family member who—

- (a) was a family member of P immediately before IP completion day;
- (b) is P’s child and—
 - (i) the child’s other parent is a relevant person or has leave to enter or remain in the United Kingdom by virtue of residence scheme immigration rules⁽¹⁾;
 - (ii) the child’s other parent is a British citizen;

⁽¹⁾ Defined in section 17 of the European Union (Withdrawal Agreement) Act 2020.

- (iii) P has sole or joint rights of custody of the child in the circumstances set out in the last point of Article 10(1)(e)(iii) of the withdrawal agreement or the last point of Article 9(1)(e)(iii) of the EEA EFTA separation agreement, or
 - (iv) P falls within Article 10(1)(e)(iii) of the Swiss citizens' rights agreement (children of beneficiaries of that agreement);
 - (c) becomes a family member of P after IP completion day by virtue of being issued with an EEA document (see paragraph (b)(ii) of the definition of "family member"), or
 - (d) is the spouse or civil partner of P and P is a national of Switzerland;
- "relevant person" means a person who does not have (and who has not, during the grace period, had) leave to enter or remain in the United Kingdom by virtue of residence scheme immigration rules and who—
- (a) immediately before IP completion day—
 - (i) was lawfully resident in the United Kingdom by virtue of the EEA Regulations 2016, or
 - (ii) had a right of permanent residence in the United Kingdom under those Regulations (see regulation 15), or
 - (b) is not a person who falls within sub-paragraph (a) but is a relevant family member of a person who immediately before IP completion day—
 - (i) did not have leave to enter or remain in the United Kingdom by virtue of residence scheme immigration rules, and
 - (ii) either—
 - (aa) was lawfully resident in the United Kingdom by virtue of the EEA Regulations 2016, or
 - (bb) had a right of permanent residence in the United Kingdom under those Regulations (see regulation 15)."

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