

## SCHEDULE

Regulation 2(1)

### Introductory

1. Unless otherwise specified, references within this Schedule to regulations or to Schedules are references to regulations within, or Schedules to, the EEA Regulations 2016.

#### Commencement Information

I1 Sch. para. 1 in force at 31.12.2020 in accordance with reg. 1(1)

### Savings and modifications to definitions

2. Regulation 2 (general interpretation) continues to have effect with the following modifications to paragraph (1)—

- (a) the definitions of “civil partner”, “civil partnership of convenience”, “durable partner”, “durable partnership of convenience”, “marriage of convenience” and “spouse” are omitted;
- (b) in the definition of “EEA decision”, omit sub-paragraphs (a), (b) and (d);
- (c) after the definition of “EEA decision”, insert—

““EEA EFTA separation agreement” has the same meaning as in the European Union (Withdrawal Agreement) Act 2020 (see section 39(1) of that Act);”;
- (d) in the definition of “EEA State”, omit the words “other than the United Kingdom” so far as relevant to things done after exit day;
- (e) after the definition of “permanent residence card”, insert—

““person protected by the citizens’ rights provisions” has the meaning given by regulation 2(2) of the Citizens’ Rights (Restrictions of Rights of Entry and Residence) (EU Exit) Regulations 2020;”;
- (f) after the definition of “spouse”, insert—

““Swiss citizens’ rights agreement” has the same meaning as in the European Union (Withdrawal Agreement) Act 2020 (see section 39(1) of that Act).”.

#### Commencement Information

I2 Sch. para. 2 in force at 31.12.2020 in accordance with reg. 1(1)

### Savings and modifications to Part 4

3. Regulation 23 (exclusion and removal from the United Kingdom) continues to have effect with the following modifications—

- (a) omit paragraphs (1) to (5);
- (b) in paragraph (6)—
  - (i) for “an EEA national who has entered the United Kingdom or the family member of such a national” substitute “a person protected by the citizens’ rights provisions”;
  - (ii) omit sub-paragraphs (a) and (c);
- (c) in paragraph (7)—
  - (i) at the end of sub-paragraph (a), omit “or”;

**Changes to legislation:** There are currently no known outstanding effects for the The Citizens' Rights (Restrictions of Rights of Entry and Residence) (EU Exit) Regulations 2020. (See end of Document for details)

- (ii) omit sub-paragraph (b);
- (d) omit paragraph (9).

**Commencement Information**

**I3** Sch. para. 3 in force at 31.12.2020 in accordance with **reg. 1(1)**

4. Regulation 27 (decisions taken on grounds of public policy, public security and public health) continues to have effect with the modification that in paragraph (3) and paragraph (4)(a), for “a right of permanent residence under regulation 15” substitute “ [F1, or who is eligible for, indefinite leave] to enter or remain in the United Kingdom granted under residence scheme immigration rules (as defined in section 17 of the European Union (Withdrawal Agreement) Act 2020)”.

**F1** Words in Sch. para. 4 substituted (2.2.2023) by The Immigration (Restrictions on Employment etc.) (Amendment) (EU Exit) Regulations 2023 (S.I. 2023/12), regs. 1(2), 4

**Commencement Information**

**I4** Sch. para. 4 in force at 31.12.2020 in accordance with **reg. 1(1)**

**Savings and modifications to Part 5**

5. Regulation 32 (person subject to removal) continues to have effect with the following modifications—

- (a) omit paragraph (2);
- (b) in paragraph (4), omit “or exclusion” and “, or in circumstances where that person was not entitled to be admitted under regulation 23(1) or (3),”;
- (c) in paragraph (5), omit “on the grounds of public policy, public security or public health”;
- (d) omit paragraph (7).

**Commencement Information**

**I5** Sch. para. 5 in force at 31.12.2020 in accordance with **reg. 1(1)**

6. Regulation 33 (human rights considerations and interim orders to suspend removal) continues to have effect.

**Commencement Information**

**I6** Sch. para. 6 in force at 31.12.2020 in accordance with **reg. 1(1)**

7. Regulation 34 (revocation of deportation and exclusion orders) continues to have effect with the following modifications—

- (a) omit paragraph (1);
- (b) in paragraph (3), omit “or exclusion”.

**Commencement Information**

**I7** Sch. para. 7 in force at 31.12.2020 in accordance with **reg. 1(1)**

**Savings and modifications to Part 6**

**8.** Regulation 35 (interpretation of Part 6) continues to have effect.

**Commencement Information**

**I8** Sch. para. 8 in force at 31.12.2020 in accordance with **reg. 1(1)**

**9.** Regulation 36 (appeal rights) continues to have effect with the following modifications—

(a) in paragraph (2)—

(i) for “to be an EEA national” substitute “to be a person protected by the citizens’ rights provisions”;

(ii) for “or passport issued by an EEA State” substitute “issued by an EEA State or a valid passport”;

(b) omit paragraphs (3) to (6) and (12).

**Commencement Information**

**I9** Sch. para. 9 in force at 31.12.2020 in accordance with **reg. 1(1)**

**10.** Regulation 37 (out of country appeals) continues to have effect with the following modifications—

(a) in paragraph (1)—

(i) omit sub-paragraphs (a), (b), (c), (e) and (f) (but not the final “or” after sub-paragraph (f));

(ii) in sub-paragraph (d), omit “or exclusion”;

(iii) in sub-paragraph (g), omit “or exclusion” and “, or in circumstances where that person was not entitled to be admitted pursuant to regulation 23(1), (2), (3) or (4)”;

(b) omit paragraph (2).

**Commencement Information**

**I10** Sch. para. 10 in force at 31.12.2020 in accordance with **reg. 1(1)**

**11.** Regulation 38 (appeals to the Commission) continues to have effect with the modification that in paragraph (3), omit “exclusion or”.

**Commencement Information**

**I11** Sch. para. 11 in force at 31.12.2020 in accordance with **reg. 1(1)**

**12.** Regulation 39 (national security: EEA decisions) continues to have effect.

**Changes to legislation:** There are currently no known outstanding effects for the The Citizens' Rights (Restrictions of Rights of Entry and Residence) (EU Exit) Regulations 2020. (See end of Document for details)

**Commencement Information**

**I12** Sch. para. 12 in force at 31.12.2020 in accordance with **reg. 1(1)**

**13.** Regulation 40 (effect of appeals to the First-tier Tribunal or Upper Tribunal) continues to have effect with the following modifications—

- (a) omit paragraphs (2), (3) and (6);
- (b) in paragraph (4), omit “a refusal of admission, a decision to revoke admission, or”.

**Commencement Information**

**I13** Sch. para. 13 in force at 31.12.2020 in accordance with **reg. 1(1)**

**14.** Regulation 41 (temporary admission to submit case in person) continues to have effect.

**Commencement Information**

**I14** Sch. para. 14 in force at 31.12.2020 in accordance with **reg. 1(1)**

**Savings and modifications to the Schedules**

**15.** Schedule 1 (considerations of public policy, public security and the fundamental interests of society etc.) continues to have effect with the following modifications—

- (a) for paragraph 1 substitute—

“**1.** The United Kingdom enjoys considerable discretion, acting within the parameters set by the law, to define its own standards of public policy and public security, for purposes tailored to its individual context from time to time.”;
- (b) in paragraph 6, for “these Regulations”, substitute “the EU withdrawal agreement, the EEA EFTA separation agreement or the Swiss citizens’ rights agreement”;
- (c) after paragraph 6, insert—

“**6A.** For the purpose of paragraph 6, a marriage, civil partnership or durable partnership of convenience means a marriage, civil partnership or durable partnership entered into as a means to circumvent any criteria that the party to the marriage, civil partnership or durable partnership would otherwise have to meet in order to enjoy a right to reside in the United Kingdom or a right to leave to enter or remain in the United Kingdom.”.

**Commencement Information**

**I15** Sch. para. 15 in force at 31.12.2020 in accordance with **reg. 1(1)**

**16.** Schedule 2 (appeals to the First-tier Tribunal) continues to have effect with the modification that in paragraph 1, for the “EU Treaties” substitute “the EU withdrawal agreement, the EEA EFTA separation agreement or the Swiss citizens’ rights agreement”.

**Changes to legislation:** There are currently no known outstanding effects for the The Citizens' Rights (Restrictions of Rights of Entry and Residence) (EU Exit) Regulations 2020. (See end of Document for details)

---

**Commencement Information**

**I16** Sch. para. 16 in force at 31.12.2020 in accordance with [reg. 1\(1\)](#)

**17.** Paragraph 1 of Schedule 7 (consequential modifications) continues to have effect, with the modification that references to “these Regulations” includes references to the EEA Regulations 2016 as modified by these Regulations.

---

**Commencement Information**

**I17** Sch. para. 17 in force at 31.12.2020 in accordance with [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Citizens' Rights (Restrictions of Rights of Entry and Residence) (EU Exit) Regulations 2020.