

SCHEDULE 5

Article 6

Extension and modification of provisions of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020

| <i>Column 1</i>                       | <i>Column 2</i>   |
|---------------------------------------|---|
| <i>Provision</i>                      | <i>Modifications</i>  |
| The heading of Part 1 of the 2020 Act |   |
| Section 1 of the 2020 Act             | For this section, substitute—<br><br><b>“1 Repeal of section 7 of the Immigration Act 1988</b><br><br>Section 7 of the Immigration Act 1988 is repealed.”   |
| Section 2 of the 2020 Act             | In subsection (2), in section 3ZA that is inserted in the 1971 Act —<br><br>(a) for “United Kingdom” in each place the expression occurs, substitute “Bailiwick of Guernsey”, and<br><br>(b) for “Secretary of State” in each place the expression occurs, substitute “Lieutenant Governor”.<br><br>In subsection (4), in the reference to Schedule 4 to the 1971 Act, for “integration with UK law of immigration law of the Islands”, substitute “integration with Guernsey law of immigration laws of the United Kingdom, Jersey and the Isle of Man”. |
| Section 4 of the 2020 Act             | In subsection (1) –<br><br>(a) omit paragraph (a), and<br><br>(b) in paragraph (b), for “(k)”, substitute “(j)”.<br><br>Omit subsection (2).  |
| Section 5 of the 2020 Act             | For subsection (1), substitute—<br><br>“(1) The States of Guernsey Committee for Home Affairs may by regulations make such provision as the committee considers appropriate in consequence of, or in connection with, any provision of this Part.”.<br><br>In subsection (2), for “—” and paragraphs (a) and (b), substitute “any provision extended or made by an Order in Council extending   |

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|   | <p>legislation of the United Kingdom to the Bailiwick of Guernsey, or any direction, order, rule or other provision issued, given or otherwise made under any such provision, where the provision to be modified was made on or before the appointed day.”.</p> <p>In subsection (4)—</p> <p>(a) for “coming into force of the repeal of section 7(1) of the Immigration Act 1988 by paragraph 1 of Schedule 1”, substitute “appointed day”,</p> <p>(b) for “that Act”, substitute “the Immigration Act 1988”, and</p> <p>(c) for “United Kingdom”, substitute “Bailiwick of Guernsey”.</p> <p>In subsection (5), for “primary legislation passed before, or in the same Session as, this Act”, substitute “any of the Immigration Acts extended to the Bailiwick of Guernsey on or before the appointed day.”.</p> <p>For subsection (6), substitute the following subsection –</p> <p>“(6) Regulation under subsection (1) must be laid before a meeting of the States of Deliberation as soon as possible and, if at that or the next meeting the States of Deliberation resolve to annul them, cease to have effect, but without prejudice to anything done under them or to the making of new regulations.”.</p> <p>Omit subsections (7), (8), (9) and (10).</p> |
| <p>The heading of Part 3 of the 2020 Act</p> <p>Section 7 of the 2020 Act</p> | <p>Insert this definition in the appropriate alphabetical order—</p> <p>““appointed day” means the day on which article 6 of the Immigration (Guernsey) Order 2020 comes into force;”.</p> <p>Omit the definitions of “domestic law”, “Minister of the Crown” and “primary legislation”.</p>  |

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| <i>Column 1</i>            | <i>Column 2</i>      |
|----------------------------|----------------------|
| <i>Provision</i>           | <i>Modifications</i> |
| Section 10 of the 2020 Act |                      |