
STATUTORY INSTRUMENTS

2021 No. 689

The Immigration (Restrictions on Employment and Residential Accommodation) (Prescribed Requirements and Codes of Practice) and Licensing Act 2003 (Personal and Premises Licences) (Forms) Order 2021

Amendments to the Immigration (Restrictions on Employment) Order 2007

- 4.—(1) The Immigration (Restrictions on Employment Order) 2007(1) is amended as follows.
- (2) In article 2, at the appropriate places, insert—
- ““Home Office online right to work checking service” means the electronic system allowing employers to check whether a person is allowed to work in the United Kingdom and, if so, the nature of any restrictions on that person’s right to do so;”;
- ““online right to work check” means the response generated by the Home Office online right to work checking service in relation to a person.”.
- (3) In article 4A(1)(a)(i), for “paragraph 1” substitute “paragraph 1A, 1B”.
- (4) In article 4B, omit paragraph (4).
- (5) In List A in the Schedule—
- (a) omit paragraphs 2 to 4;
- (b) before paragraph 5, insert—
- “**4A.** A document issued by the Home Office to a family member of an EEA or Swiss national, which has not expired, and which indicates that the holder is permitted to stay in the United Kingdom indefinitely.
- “**4B.** A passport or passport card showing that the holder is a national of the Republic of Ireland.
- “**4C.** A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules(2), Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008(3) or Appendix EU to the Isle of Man Immigration Rules(4) (as the case may be).”.
- (6) In Part 1 of List B in the Schedule—
- (a) omit paragraph 3;

(1) [S.I. 2007/3290](#), amended by [S.I. 2009/2908](#), [2014/1183](#) and [2018/1340](#); there are other amendments which are not relevant to this Order.

(2) The Jersey Immigration Rules are contained in directions made pursuant to section 1(4A) of the Immigration Act 1971 (c. 77) as extended to Jersey.

(3) Guernsey Statutory Instrument 2008/26, as amended by G.S.I 2011/18, 2013/33, 2015/27, 2019/17 and the Same-Sex Marriage (Consequential and Miscellaneous Amendments and Contrary Provisions) (Guernsey) Ordinance 2017.

(4) The Isle of Man Immigration Rules are made under section 3(2) of the Immigration Act 1971 as extended to the Isle of Man by the Immigration (Isle of Man) Order 2008 ([S.I. 2008/680](#)).

(b) before paragraph 4, insert—

3A. A document issued by the Home Office to a family member of an EEA or Swiss national, which has not expired, and which indicates that the holder is permitted to stay in the United Kingdom for a time limited period and to do the type of work in question.

3B. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain, under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules (as the case may be).

3C. A frontier worker permit issued under regulation 8 of the Citizens’ Rights (Frontier Workers) (EU Exit) Regulations 2020⁽⁵⁾.”.

(7) In Part 2 of List B in the Schedule—

(a) omit paragraph 1;

(b) before paragraph 2, insert—

1A. A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules⁽⁶⁾ on or before 30th June 2021.

1B. A document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey showing that the holder has made an application for leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 (as the case may be), on or before 30th June 2021.”.

⁽⁵⁾ S.I. 2020/1213.

⁽⁶⁾ Appendix EU was laid before Parliament on 20th July 2018 (CM 9675).