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STATUTORY INSTRUMENTS

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**2023 No. 12**

The Immigration (Restrictions on Employment etc.) (Amendment) (EU Exit) Regulations 2023

**Amendment of the Illegal Working Compliance Orders Regulations 2016**

- 3.—(1) The Illegal Working Compliance Orders Regulations 2016<sup>(1)</sup> are amended as follows.
- (2) In regulation 5A (right to work checks: Home Office online right to work checking service)—
- (a) in paragraph (2), for “provides that the employment is permitted”, substitute “confirms that the employee has leave to enter or remain on the date that the online right to work check is conducted.”;
  - (b) after paragraph (3), insert—

“(4) Paragraph (2) does not apply where the online right to work check confirms that the person had a right to work on the date of the check by virtue of a pending application, administrative review or appeal.”.

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<sup>(1)</sup> [S.I. 2016/1058](#), amended by [S.I. 2018/1340](#); there are other amending instruments, but none are relevant.