

SCHEDULE 2

Regulation 1(3)

Consequential amendments

The Accession (Immigration and Worker Registration) Regulations 2004

1.—(1) The Accession (Immigration and Worker Registration) Regulations 2004⁽¹⁾ are amended as follows.

(2) In regulation 2 (“accession State worker requiring registration”)—

(a) for paragraph (5)(b) there is substituted—

“(b) another EEA State, other than a relevant accession State or Bulgaria or Romania;”;

(b) for paragraph (6)(b) there is substituted—

“(b) a family member of a Swiss or EEA national who has a right to reside in the United Kingdom under the 2006 Regulations, other than the family member of—

(i) a national of a relevant accession State who only has a right to reside under regulation 13 of those Regulations and would be an accession State worker requiring registration if he began working in the United Kingdom;

(ii) an accession State worker requiring registration who only has a right to reside under regulation 14 of those Regulations by virtue of being treated as a worker for the purpose of the definition of “qualified person” in regulation 6(1) of those Regulations; or

(iii) an accession State national subject to worker authorisation or a student who is not an accession State national subject to worker authorisation solely by virtue of falling within regulation 2(10) of the 2006 Accession Regulations;”;

(c) in paragraph (9), before paragraph (b) there is inserted—

“(aa) “2006 Accession Regulations” means the Accession (Immigration and Worker Authorisation) Regulations 2006 and “accession State national subject to worker authorisation” has the meaning given in regulation 2 of those Regulations;”.

The 2006 Regulations

2.—(1) The 2006 Regulations are amended as follows.

(2) In Schedule 2 (effect on other legislation)—

(a) in paragraph 1 (leave under the 1971 Act)—

(i) at the beginning of sub-paragraph (2) there is inserted “Subject to sub-paragraph (3),”;

(ii) after sub-paragraph (2) there is inserted—

“(3) Where the person mentioned in sub-paragraph (2) is an accession State national subject to worker authorisation working in the United Kingdom during the accession period and the document endorsed to show that the person has leave is an accession worker authorisation document, any conditions to which that leave is subject restricting his employment shall continue to apply.

(1) [S.I. 2004/1219](#); the relevant amending instruments are [S.I. 2004/1236](#) and [S.I. 2006/1003](#).

Status: This is the original version (as it was originally made).

- (4) In sub-paragraph (3)—
 - (a) “accession period” has the meaning given in regulation 1(2)(c) of the Accession (Immigration and Worker Authorisation) Regulations 2006;
 - (b) “accession State national subject to worker authorisation” has the meaning given in regulation 2 of those Regulations; and
 - (c) “accession worker authorisation document” has the meaning given in regulation 9(2) of those Regulations.”;
- (b) in paragraph 4 (appeals under the Nationality, Immigration and Asylum Act 2002 and previous immigration Acts)—
 - (i) in sub-paragraph (2), after “Accession (Immigration and Worker Registration) Regulations 2004,” there is inserted “or an accession worker card under the Accession (Immigration and Worker Authorisation) Regulations 2006,”;
 - (c) in sub-paragraph (9), after “accession State worker requiring registration” where it first occurs there is inserted “or an accession State national subject to worker authorisation working in the United Kingdom” and at the end of the sub-paragraph there is inserted “and “accession State national subject to worker authorisation” has the meaning given in regulation 2 of the Accession (Immigration and Worker Authorisation) Regulations 2006”.
- (3) Paragraph 7(3)(a) of Schedule 5 (consequential amendments) is omitted.