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STATUTORY INSTRUMENTS

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**2016 No. 1052**

**The Immigration (European Economic Area) Regulations 2016**

**PART 6**

**APPEALS UNDER THESE REGULATIONS**

**National Security: EEA Decisions**

**39.**—(1) Section 97A of the 2002 Act<sup>(1)</sup> applies to an appeal against an EEA decision where the Secretary of State has certified under regulation 38(2) or (4) that the EEA decision was taken in the interests of national security.

(2) Where section 97A so applies, it has effect as if—

- (a) the references in that section to a deportation order were to an EEA decision;
- (b) subsections (1), (1A), (2)(b) and (4) were omitted;
- (c) the reference in subsection (2)(a) to section 79 were a reference to regulations 37(2) and 40 of these Regulations; and
- (d) in subsection (2A) for sub-paragraphs (a) and (b), “against an EEA decision” were substituted.

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(1) Section 97A was inserted by the Immigration, Asylum and Nationality Act 2006, section 7 and amended by the Crime and Courts Act 2013 (c. 22), section 54 and the Immigration Act 2014, Schedule 9, paragraph 43.