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STATUTORY INSTRUMENTS

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**2020 No. 1309**

**EXITING THE EUROPEAN UNION  
IMMIGRATION AND ASYLUM  
NATIONALITY**

The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020

*Approved by both Houses of Parliament*

*Made - - - - 17th November 2020*

*Laid before Parliament 18th November 2020*

*Coming into force in accordance with regulation 1*

**THE IMMIGRATION AND SOCIAL SECURITY  
CO-ORDINATION (EU WITHDRAWAL) ACT 2020  
(CONSEQUENTIAL, SAVING, TRANSITIONAL AND  
TRANSITORY PROVISIONS) (EU EXIT) REGULATIONS 2020**

PART 1

INTRODUCTION

1. Citation, commencement and extent
2. Interpretation - General

PART 2

IMMIGRATION

Chapter 1

*Amendment and saving of primary legislation*

3. Amendment of the Marriage Act 1949
4. Amendment of the Aliens' Employment Act 1955
5. Amendment and saving of the Immigration Act 1971
6. Amendment of the Rent Act 1977
7. Amendment of the Marriage (Scotland) Act 1977

**Changes to legislation:** There are currently no known outstanding effects for the The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020. (See end of Document for details)

8. Amendment of the Housing Act 1988
9. Amendment of the Housing (Northern Ireland) Order 1988
10. Amendment of the Housing Act 1996
11. Amendment of the Special Immigration Appeals Commission Act 1997
12. Amendment of the Immigration and Asylum Act 1999
13. Amendment and saving of the Nationality, Immigration and Asylum Act 2002
14. Amendment of the Marriage (Northern Ireland) Order 2003
15. Amendment of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004
16. Amendment of the Civil Partnership Act 2004
17. Amendment and saving of UK Borders Act 2007
18. Amendment of the Criminal Justice and Immigration Act 2008
19. Amendment of the Identity Documents Act 2010
20. Amendment and saving of the Immigration Act 2014
21. Amendment of the Housing (Wales) Act 2014
22. Amendment of the Specialist Printing Equipment and Materials (Offences) Act 2015
23. Amendment of the Immigration Act 2016
24. Provision consequential on, or connected with Part 2 of Chapter 1

## Chapter 2

### *Amendment and savings of secondary legislation*

25. Amendment and saving of the Immigration (Control of Entry through Republic of Ireland) Order 1972
26. Amendment and saving of the Channel Tunnel (International Arrangements) Order 1993
27. Amendment and saving of the Immigration (Leave to Enter and Remain) Order 2000
28. Amendment and saving of the Immigration (Notices) Regulations 2003
29. Amendment and saving of the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003
30. Amendment of the Immigration and Asylum Act 1999 (Part V Exemption: Relevant Employers) Order 2003
31. Amendment of the Civil Partnership (Registration Provisions) Regulations 2005
32. Amendment and saving of the Immigration (Provision of Physical Data) Regulations 2006
33. Amendment and saving of the Tribunal Procedure (Upper Tribunal) Rules 2008
34. Amendment and saving of the Immigration (Biometric Registration) Regulations 2008
35. Amendment and saving of the Appeals (Excluded Decisions) Order 2009
36. Amendment of the Immigration (Procedure for Marriage) Regulations 2011
37. Amendment of the Immigration (Procedure for Formation of Civil Partnerships) Regulations 2011
38. Amendment and saving of the First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011
39. Amendment and saving of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014

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40. Amendment of the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014
41. Amendment of the Referral of Proposed Marriages and Civil Partnerships Regulations 2015
42. Amendment of the Registration of Marriages Regulations 2015
43. Amendment of the Proposed Marriages and Civil Partnerships (Conduct of Investigations, etc.) Regulations 2015
44. Amendment of the Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015
45. Amendment of the Immigration and Nationality (Fees) Order 2016
46. Amendment of the Immigration and Nationality (Fees) Regulations 2018
47. Amendment of the Immigration (European Economic Area Nationals) (EU Exit) Order 2019
48. Amendment of the Immigration, Nationality and Asylum (EU Exit) Regulations 2019
49. Amendment of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020
50. Amendment of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020

### CHAPTER 3

#### *Revocation of secondary legislation*

51. Revocation of the Immigration (European Economic Area) (Amendment) Regulations 2017
52. Revocation of the Immigration (European Economic Area) (Amendment) Regulations 2018

### PART 3

#### Access to benefits and services

53. Amendment of the Income Support (General) Regulations 1987
54. Amendment of the Income Support (General) Regulations (Northern Ireland) 1987
55. Amendment of the Jobseeker's Allowance Regulations 1996
56. Amendment of the Jobseeker's Allowance Regulations (Northern Ireland) 1996
57. Amendment of the Social Security (Immigration and Asylum) Consequential Amendments Regulations 2000
58. Amendment of the Social Security (Immigration and Asylum) Consequential Amendments Regulations (Northern Ireland) 2000
59. Amendment of the State Pension Credit Regulations 2002
60. Amendment of the State Pension Credit Regulations (Northern Ireland) 2003
61. Amendment of the Tax Credits (Residence) Regulations 2003
62. Amendment of the Social Fund Maternity and Funeral Expenses (General) Regulations 2005
63. Amendment of the Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005
64. Amendment of the Housing Benefit Regulations 2006
65. Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

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66. Amendment of the Child Benefit (General) Regulations 2006
67. Amendment of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
68. Amendment of the Housing Benefit Regulations (Northern Ireland) 2006
69. Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006
70. Amendment of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Wales) Regulations 2006
71. Amendment of the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006
72. Amendment of the Allocation of Housing and Homelessness (Eligibility) Regulations (Northern Ireland) 2006
73. Amendment of the Employment and Support Allowance Regulations 2008
74. Amendment of the Employment and Support Allowance Regulations (Northern Ireland) 2008
75. Amendment of the Universal Credit Regulations 2013
76. Amendment of the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014
77. Amendment of the Universal Credit Regulations (Northern Ireland) 2016

#### PART 4

##### Nationality

#### CHAPTER 1

##### *Amendment of primary legislation*

78. Amendment of the British Nationality Act 1981
79. Amendment of the Borders, Citizenship and Immigration Act 2009

#### Chapter 2

##### *Amendment of secondary legislation*

80. Amendment and saving of the British Nationality (General) Regulations 2003

#### PART 5

Saving provision in connection with the EC Association Agreement with Turkey

81. Saving provision in connection with the EC Association Agreement with Turkey

#### PART 6

Saving provision in connection with the Immigration  
(European Economic Area) Regulations 2016

82. Saving provision in connection with the Immigration (European Economic Area) Regulations 2016

**Changes to legislation:** There are currently no known outstanding effects for the The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020. (See end of Document for details)

## PART 7

Saving provision in connection with access to benefits and services

83. Saving provision in connection with access to benefits and services

## PART 8

Transitional and further saving provision

84. Transitional and further saving provision  
Signature

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## SCHEDULES

SCHEDULE 1 — Provision consequential on or connected with Part 2 Chapter 1

1. Provision consequential or connected with regulation 5 (amendment and saving of the Immigration Act 1971)
2. Provision consequential or connected with regulation 6 (amendment of the Rent Act 1977) and regulation 8 (amendment of the Housing Act 1988)
3. Provision consequential or connected with regulation 13 (amendment of the Nationality, Immigration and Asylum Act 2002)

SCHEDULE 2 — Saving provision in connection with the EC Association Agreement with Turkey

1. Notwithstanding Schedule 1, paragraph 6(1) of the 2020 Act, the Agreement...
2. In this paragraph “relevant person” means a person —

SCHEDULE 3 — Saving provision in connection with the Immigration (European Economic Area) Regulations 2016

1. In this Schedule “EEA Regulations 2016” means the Immigration (European...)
2. Deportation and exclusion orders
3. Pending applications for documentation under the EEA Regulations 2016
4. Application of EEA Regulations 2016 to pending applications
5. Existing appeal rights and appeals
6. Specified provisions of the EEA Regulations 2016
7. Nationality, Immigration and Asylum Act 2016- saving in relation to appeals

SCHEDULE 4 — Saving provision in relation to access to benefits and services

1. In this Schedule— (a) “EEA Regulations 2016” means the Immigration...
2. For the purposes of the provisions specified in paragraph 3...
3. The provisions specified in this paragraph are—
4. The following provisions of the EEA Regulations 2016 are, with...
5. Continued application of section 7(1) of the Immigration Act 1988 for purposes of housing legislation
6. The functions specified in this paragraph are—
7. The functions specified in this paragraph are—

SCHEDULE 5 — Transitional and further saving provision

### PART 1

**Changes to legislation:** There are currently no known outstanding effects for the The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020. (See end of Document for details)

1. In this Schedule— “the 1949 Act” means the Marriage Act...
  2. Transitional provision in relation to the immigration status of Irish citizens
  3. Transitional provision in relation to bans of matrimony in England and Wales
  4. Transitional provision in relation to common licences for marriage in England and Wales
  5. Transitional provision in relation to notices of marriage
  6. The amendments made by regulation 7(3) of these Regulations (amendment...
  7. The amendments made by regulation 14 of these Regulations (amendment...
  8. The amendments made by regulation 15(3) of these Regulations (amendment...
  9. Transitional provision in relation to notices of civil partnership
- PART 2
10. Saving in relation to section 2 of the 2020 Act
  11. Saving in relation to Schedule 1 to the 2020 Act

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020.