

Statutory Document No. 2021/0228



Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020

IMMIGRATION (EUROPEAN ECONOMIC AREA) (AMENDMENT) REGULATIONS 2021

Laid before Tynwald: 20 July 2021
Coming into Operation: in accordance with regulation 2

The Minister for the Cabinet Office makes the following Regulations under section 5 of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020¹ (of Parliament) as it has effect in the Island².

1 Title

These Regulations are the Immigration (European Economic Area) (Amendment) Regulations 2021.

2 Commencement

These Regulations come into operation on the day after the day they are made.

3 Amendment of the Immigration (European Economic Area) Regulations 2019

- (1) The Immigration (European Economic Area) Regulations 2019³ (the “Principal Regulations”) are amended as follows.
- (2) In regulation 3 (general interpretation) of the Principal Regulations, after the definition of “military service” insert the following definition —

“Minister” means the Minister for the Cabinet Office;”
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- (3) In the Principal Regulations, for “Lieutenant Governor” or “Governor”, wherever occurring, substitute “Minister”.

¹ 2020 c.20

² The Act is extended to the Island with modifications by Order in Council (see S.I. 2020/1576).

³ SD 2019/0132. The Principal Regulations were revoked with certain savings by the Immigration and Social Security (EU Exit) (Consequential Provisions) Regulations 2020 (SD 2020/0573). Other saving provisions relating to the Principal Regulations are made by the Citizens’ Rights (Application Deadline and Temporary Protection) (EU Exit) (Application) Regulations 2020 (SD 2020/0508) and by the Citizens’ Rights (Restrictions of Rights of Entry and Residence) (EU Exit) (Application) Regulations 2020 (SD 2020/0509).

MADE 29 JUNE 2021

HOWARD QUAYLE
Minister for the Cabinet Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Immigration (European Economic Area) Regulations 2019 (the “2019 Regulations”) so to replace references to the Lieutenant Governor with references to the Minister for the Cabinet Office.

The amendments reflect the transfer of functions relating to immigration from the Governor to the Minister which occurred in 2019 under the Immigration (Isle of Man) (Amendment) Order 2019⁴ (the “2019 Order”). These Regulations are required as, although the 2019 Order operated on the Immigration Acts which extend to the Isle of Man, it did not operate on the 2019 Regulations.

Many of the provisions of the 2019 Regulations have been saved and continue to have effect in the Island post-Brexit and following the end of the rights to free movement of persons under retained EU law, so these Regulations are required going forward and should therefore be updated so as to reflect the transfer of functions which occurred in 2019.

⁴ S.I. 2019/562.