



STATUTORY INSTRUMENTS.

S.I. No. 729 of 2020



IMMIGRATION ACT 2004 (VISAS) (AMENDMENT) (NO. 2) ORDER
2020

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I, HELEN MCENTEE, Minister for Justice, in exercise of the powers conferred on me by section 17 of the Immigration Act 2004 (No. 1 of 2004) (as adapted by the Justice and Equality (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 452 of 2020)), hereby order as follows:

1. (1) This Order may be cited as the Immigration Act 2004 (Visas) (Amendment) (No. 2) Order 2020.

(2) This Order comes into operation at 11.00 p.m. on 31 December 2020.

2. The Immigration Act 2004 (Visas) Order 2014 (S.I. No. 473 of 2014) is amended -

(a) in Article 2 -

(i) by the deletion of the definition of “Regulations of 2006”,

(ii) by the insertion of the following definitions:

“ ‘Regulations of 2015’ means the European Communities (Free Movement of Persons) Regulations 2015 (S.I. No. 548 of 2015);

‘Regulations of 2020’ means the European Union (Withdrawal Agreement) (Citizens’ Rights) Regulations 2020;

‘United Kingdom national’ has the meaning assigned to it by the Regulations of 2020;”

(iii) by the substitution of the following definition for the definition of “family members”:

“ ‘family members’ -

(a) in Article 3(ca) has the meaning assigned to it by the Regulations of 2020, and

(b) in any other case, has the meaning assigned to it by the Regulations of 2015;” and

(iv) by the substitution of “Regulations of 2015” for “Regulations of 2006” in the definitions of “permanent residence card” and “residence card”,

and

(b) in Article 3, by the insertion of the following paragraph after paragraph (c):

“(ca) non-nationals who are family members of a United Kingdom national and holders of a residence document issued in accordance with Article 18(4) of the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community¹, approved on behalf of the European Union by Council Decision (EU) 2020/135 of 30 January 2020²;”.



GIVEN under my Official Seal,
31 December, 2020.

HELEN MCENTEE,
Minister for Justice.

¹ OJ No. C 384, 12.11.2019, p.1

² OJ No. L 29, 31.1.2020, p.1

EXPLANATORY NOTE

(This is not part of the Instrument and does not purport to be a legal interpretation.)

This Order amends Articles 2 and 3 of the Immigration Act 2004 (Visas) Order 2014.

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