

FROM: the3million
TO: Minister for Immigration, Home Office
DATE: 30 October 2020
SUBJECT: **The Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020**

Dear sirs,

I have some questions in relation to the above regulations.

I was sent a copy of a letter the minister, Kevin Foster MP, sent to Holly Lynch MP in relation to the regulations. I have some questions following that correspondence (which I attach).

I understand that the regulations are designed to protect the rights of EU citizens during the grace period and whilst they are waiting for a decision. Crucially, the regulations will only protect EU citizens who were residing in the UK lawfully under the EEA regulations - i.e. exercising treaty rights - before the end of the implementation period.

I have some questions I hope you can answer for me:

I understand from the minister's letter that those not residing lawfully in the UK before the end of the implementation period, but are eligible for status under the EU SS, will continue to have the same level of rights during the grace period as they did before the end of the implementation period.

Please can you point me to the law underpinning these rights during the grace period?

Whilst there are legal assurances giving EU citizens in scope of the regulations protections to work, rent and access health care in the UK, I am not aware of protections that will be in place for those not in scope of the regulations.

Please can you confirm what law EU citizens, who are not in scope of the regulations, can rely on to continue to work, rent and access health care during the grace period?

I am also interested in understanding what legal assurances and safeguards are in place to make sure that a person not lawfully resident in the UK but eligible for status via the EUSS will not be prosecuted, for example under section 24 and 24B of the Immigration Act 1971.

Please can you explain how EU citizens will not be prosecuted for not being lawfully resident in the UK?

Equally, what legal assurances will be in place to ensure employers are protected from prosecution under the Immigration Act 1971?

Beyond the grace period, the ministers says those with outstanding applications will be able to continue living in the UK as they do now.

Whilst the regulations protect those lawfully living in the UK, can you confirm what legal assurances are in place for those who are not, but have an application with the EU SS?

Finally, the minister have said that those with a reasonable excuse are eligible to apply late to the EUSS. By this I mean those EU citizens who have not applied by the end of the grace period but have a reasonable excuse for not doing so. I am not clear what legal status an EU citizen with a reasonable excuse will have prior to acquiring their status.

Please can you confirm what legal status an EEA national with a 'reasonable excuse' will have following the grace period and whilst they await for a decision when they come to apply? What legal protections will they have?

I look forward to hearing from you.

Many thanks,

Luke Piper
The3million