STATUTORY INSTRUMENTS

2025 No. 639

EXITING THE EUROPEAN UNION

IMMIGRATION

The Immigration (Citizens' Rights Appeals) (EU Exit) (Amendment) Regulations 2025

Made - - - -	*2nd June 2025*
Laid before Parliament	*4th June 2025*
Coming into force - -	*25th June 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 11(1) of, and paragraph 12 of Schedule 4 to, the European Union (Withdrawal Agreement) Act 2020(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration (Citizens' Rights Appeals) (EU Exit) (Amendment) Regulations 2025.

(2) These Regulations come into force on 25th June 2025.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment to the Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020

2. In regulation 6 (right of appeal against decisions to make a deportation order) of the Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020(**b**), after paragraph (1) insert—

> "(1A) For the purposes of paragraph (1) only, a decision to make a deportation order means a decision to pursue deportation that is made after a person has been asked to make representations to the Secretary of State as to why they should not be deported.".

Angela Eagle
Minister of State
Home Office

2nd June 2025

(**a**) 2020 c. 1.
(**b**) S.I. 2020/61; relevant amending instruments are S.I. 2020/1213 and 2020/1372. There are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Immigration (Citizens' Rights Appeals) (EU Exit) Regulations 2020 ("the 2020 Regulations").

Regulation 2 inserts a new paragraph into Regulation 6 of the 2020 Regulations, so that the right of appeal against a decision to make a deportation order under the 2020 Regulations will now arise only after the person has been given the opportunity to make representations as to why they should not be deported and the Secretary of State has decided to pursue deportation. This is to ensure that the 2020 Regulations appeal right aligns with the point a right of appeal arises under section 82(1) of the Nationality, Immigration and Asylum Act 2002 (c. 41) ("the NIAA 2002"), which provides a right of appeal in respect of a refusal of protection and/or human rights claims, or the revocation of protection status. This means that when a decision to make a deportation order is made, the right of appeal under the 2020 Regulations will now arise after the person has been given an opportunity to make representations against the decision to make a deportation order and the Secretary of State has decided to pursue deportation, and if a separate right of appeal arises under the NIAA 2002, both appeals can be considered concurrently by the Tribunal.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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