



Rt Hon Dame Diana Johnson MP
Chair of the Home Affairs Select Committee
House of Commons
London SW1A 0AA

7 September 2023

Dear Dame Diana,

IMMIGRATION RULES CHANGES

I am writing to inform you of changes to the Immigration Rules which are being laid today.

EU Settlement Scheme (EUSS) and EUSS family permits

We are making certain changes to the EUSS, which enables EU, other European Economic Area (EEA) and Swiss citizens living in the UK by the end of the transition period on 31 December 2020, and their family members, to obtain immigration status.

The effect of the changes is the removal of the right of administrative review for EUSS eligibility refusals and relevant cancellation decisions made on or after 5 October 2023. In line with the Citizens' Rights Agreements, a right of redress will continue to be provided through a right of appeal. The changes create streamlined arrangements for challenging a decision and aligns with the approach taken in the rest of the immigration system (where no dual right of re-dress exists).

The same changes apply to the S2 Healthcare Visitor route, which provides a route of entry into the UK for people who, before the end of the transition period, had requested authorisation from their EEA home state or Switzerland to receive a course of planned healthcare treatment provided by the NHS under the 'S2 arrangement'.

Some minor technical amendments are also being made to clarify the existing policy position that where a dependent parent or child has already been granted limited leave under Appendix EU, they will not need to evidence dependency for any further applications under Appendix EU. Lastly, we have made changes to the definition of 'required date' in Annex 1 of Appendix EU for clarification purposes.

Immigration Rules for Pre-1997 Gurkhas, Hong Kong Military Unit Veterans and Family Members

We are bringing the pre-1997 Gurkha settlement concession into the Immigration Rules and at the same time extending the policy to cover pre-1997 members of Hong Kong military units as announced in March 2023.

The policy recognises Hong Kong veterans have similar circumstances to Gurkhas, stationed in Hong Kong prior to handover to China, although never based in the UK. It will enable those eligible who were discharged before 1 July 1997, to settle in the UK. This will be done by extending the provisions of the settlement concession that already exists for former Gurkhas and their families to Hong Kong military unit veterans and their families; bringing both cohorts under the Rules provides greater transparency for these routes and fairness of treatment.

Changes to Appendix Electronic Travel Authorisation

We have made changes to make clear that, clarify that the ETA exemption for applicants lawfully resident in Ireland who are travelling within the Common Travel Area, will require a person aged 16 or above, to produce a document to demonstrate residency in Ireland, if required by a UK official, in order to benefit from this exemption.

The changes to the Immigration Rules are being laid on 7 September 2023.

All changes in the Statement of Changes will come into effect on various dates from 28 September 2023.

With best wishes,

Yours ever,

A handwritten signature in dark ink, reading 'Robert Jenrick', with a horizontal line underneath the name.

Rt Hon Robert Jenrick MP
Minister of State for Immigration