

This report is only concerned with the compatibility or otherwise of the legislation with Part 2 of the Withdrawal Agreement and Part 2 of the EEA EFTA Separation Agreement. It does not consider the merits more generally of the policy contained in the legislation and does not consider the lawfulness of the legislation beyond its compatibility with the Agreements.

Legislation Monitoring Report	
Title	Statement of Changes to the Immigration Rules: HC 1491, 9 December 2025
Date Legislation considered by the IMA	5 February 2025
Date Legislation in force	30 December 2025
Potential Right(s) Affected	Right of residence.
What does the legislation do?	<p>The Immigration Rules (“the Rules”) are statements by the Secretary of State as to how she will exercise her power to regulate immigration.</p> <p>The Statement of Changes make several changes to the Immigration Rules, not all of which are relevant to the EU Settlement Scheme (“EUSS”).</p>

The detailed rules for the EUSS are contained in [Appendix EU](#).

The EUSS enables EU, EEA EFTA and Swiss citizens living in the UK by the end of the transition period on 31 December 2020, and their relevant family members, to obtain UK immigration status (either pre-settled status or settled status) to live in the UK.

Of relevance to the work of the IMA is: –

- **Appendix EU – aligning cancellation and curtailment grounds**

The change means that a person’s pre-settled status can be cancelled by the Secretary of State on or before their arrival in the UK – as it can already be curtailed in-country – where it is more likely than not that, after the end of the transition period, they have assisted another person fraudulently to obtain, or to attempt to obtain, entry clearance to, or leave to enter or remain in, the UK. This is subject to safeguards (a proportionality test and a right of appeal).

- **Appendix EU (Family Permit) – expanding the scope of the EUSS travel permit**

The change means that any person with EUSS status will be able to obtain an EUSS travel permit to travel to the UK if need be. EUSS status holders already have the right to travel to the UK, so we understand this change will mainly assist persons who are unable to prove that they hold EUSS status due to issues with their UKVI account. Specifically, where EUSS status holders *“are unable to update their UK Visas and Immigration account, for example with the details of a*

	<p><i>new travel document, from outside the UK.”</i> (Explanatory Memorandum to the statement of changes in the Immigration Rules: HC 1491, paragraph 5.15).</p> <p>For completeness, there are also changes made in respect of the UK–Switzerland Citizens’ Rights Agreement which are not relevant to the IMA, whose remit is limited to Parts 2 of the Withdrawal Agreement and the Separation Agreement.</p>
Comments	<p>The IMA raises no concerns at this stage. Separately, we are aware of issues that persons with a pending EUSS application or appeal may have with updating their UKVI account with details of a new identity document. This issue, which will not be impacted by these changes, is subject to ongoing operational work.</p> <p>Citizens who are experiencing difficulties in exercising their rights are encouraged to report a complaint through the IMA Portal.</p> <p>Further information about the IMA and guidance on how to report complaints can also be found on the Website.</p>