



# House of Commons

**Tuesday 19 November 2013**

## **PUBLIC BILL COMMITTEE**

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### **IMMIGRATION BILL**

#### **NOTE**

**The amendments have been arranged in accordance with Order of the Committee [29 October 2013].**

#### *Domestic abuse and female genital mutilation*

Meg Hillier

**NC4**

To move the following Clause:—

‘No charge under section 33 may be imposed for health services—

- (a) relating to injuries sustained as a result of domestic abuse as defined in Home Office Circular 003/2013 “New government domestic violence and abuse definition”, or
- (b) relating to injuries sustained as a result of female genital mutilation as defined in the Female Genital Mutilation Act 2003.’

#### *Impact on victims of domestic abuse and female genital mutilation*

Meg Hillier

**NC5**

To move the following Clause:—

‘Prior to implementation of section 33 the Secretary of State must publish an assessment of the projected impact on—

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**Immigration Bill, *continued***

- (a) victims of domestic abuse as defined in Home Office Circular 003/2013 “New government domestic violence and abuse definition” or
- (b) victims of female genital mutilation as defined in the Female Genital Mutilation Act 2003.’.

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*Human trafficking*

Meg Hillier

**NC6**

To move the following Clause:—

- ‘(1) No charge under section 33 may be imposed on victims or suspected victims of human trafficking.
- (2) The Secretary of State must—
  - (a) issue a code of practice for identifying suspected victims of human trafficking for the purposes of this chapter,
  - (b) from time to time review the code, and may revise and re-issue it following a review; and
  - (c) lay the code, and any revision of the code, before Parliament.’.

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*Review of appeals process*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC7**

To move the following Clause:—

‘Following Royal Assent of this Bill the Secretary of State shall produce a review after 12 months to be laid in the Library of the House of the numbers of people successfully deported within a calendar year of the decision under sections 11 to 14.’.

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*Residence permit: domestic violence*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC8**

To move the following Clause:—

- ‘(1) A person (P) shall be entitled to a residence permit for three months for rest and reflection where—

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**Immigration Bill, *continued***

- (a) P is married, in a civil partnership, or in a durable relationship with someone who is lawfully in the UK; and
  - (b) P is in the UK as a dependant of that other person; and
  - (c) the relationship breaks down as a result of domestic violence.
- (2) The residence permit shall be available to P and any dependants already in the UK with entitlement to work.’.
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*Non-discriminatory shifts and hours of work*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC9**

To move the following Clause:—

‘In section 39 of the Equality Act 2010 (Employees and applicants), after paragraph (2)(b) insert—

“(ba) as to B’s shifts or hours of work;”.’.

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*Gangmasters: licensing of activities*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC10**

To move the following Clause:—

‘In section 3 of the Gangmasters (Licensing) Act 2004 (Work to which this Act applies), after paragraph (1)(c) insert—

“(d) any further work which by order of the Secretary of State is defined as relevant to this section.”.’.

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*National minimum wage: appointment of officers*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC11**

To move the following Clause:—

‘In section 13 of the National Minimum Wage Act 1998 (Appointment of officers), after paragraph (1)(a) insert—

**Immigration Bill, continued**

“(ba) shall enable chief executive officers of local authorities the power to appoint officers to act for the purposes of this Act; and”.’.

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*National minimum wage: non-compliance*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC12**

To move the following Clause:—

‘In section 31 of the National Minimum Wage Act 1998 (Offences), after subsection (9) insert—

“(10) Non-compliance with regulations in this section is subject to a civil penalty of up to £50,000.”.’.

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*Recruitment agencies: local workforce*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC13**

To move the following Clause:—

‘In section 5 of the Employment Agencies Act 1973 (General regulations), after subsection (2) insert—

“(2A) By order the Secretary of State can prohibit UK based agencies as defined in this section from including only people not ordinarily resident in the UK as their clients.”.’.

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*Employment of an adult subject to immigration control: penalty*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC14**

To move the following Clause:—

‘In section 15 of the Immigration, Asylum and Nationality Act 2006 (Penalty), omit subsection (2) and insert—

**Immigration Bill, continued**

- “(2) The Secretary of State may give an employer who acts contrary to this section a notice requiring him to pay a penalty of a specified amount not exceeding the prescribed maximum and not below the prescribed minimum.”.

*Restrictions on Bulgarian and Romanian migrants*

Nigel Mills

**NC15**

To move the following Clause:—

‘The Transitional Provisions set out in Article 20 and Annexes VI and VII of the European Communities No. 2 (2005) Treaty shall be in force until 31 December 2018.’.

*Support for prescribed groups*

Dr Julian Huppert

**NC16**

To move the following Clause:—

- ‘(1) Section 4 of the Immigration and Asylum Act 1999 (Accommodation) is amended as follows.
- (2) In subsection (1), for “facilities for the accommodation” substitute “support”.
- (3) In subsection (2), for “facilities for the accommodation” substitute “support”.
- (4) In subsection (3), for “facilities for the accommodation of a dependant of a person for whom facilities” and insert “support of a dependant of a person for whom support”.
- (5) In subsection (5)—
- (a) in paragraph (a), for “accommodation” substitute “support” in both occurrences; and
- (b) in paragraph (b), for “accommodation” substitute “support” in both occurrences.
- (6) In subsection (6)—
- (a) in paragraph (a), for “accommodation” substitute “support”;
- (b) in paragraph (b), for “accommodation” substitute “support”; and
- (c) in paragraph (c), for “accommodation” substitute “support” in both occurrences.
- (7) For subsections (10) and (11) substitute—
- “(10) “support” means—
- (a) accommodation appearing to the Secretary of State to be adequate for the needs of the supported person and his dependants;
- (b) food or other essential items;

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- (c) the means to enable the supported person to meet what appear to the Secretary of State to be expenses (other than legal expenses or other expenses of a prescribed description) incurred in connection with his claim for asylum or leave to remain in the UK;
  - (d) the means for the supported person and his dependants to attend bail proceedings in connection with his detention under any provision of the Immigration Acts; or
  - (e) the means to enable the supported person and his dependants to attend bail proceedings in connection with the detention of a dependant of his under any such provision.
- (11) If the Secretary of State considers that the circumstances of a particular case are exceptional, such other resources as he considers necessary to enable the supported person and his dependants to be supported.”’.

*Review of the labour market, housing and equality*

Mr David Hanson  
Helen Jones  
Phil Wilson

**NC17**

To move the following Clause:—

- ‘(1) That no later than 12 months following Royal Assent of the Immigration Act the Government shall produce an assessment of the impact of European immigration to the UK with specific reference to non-compliance with and enforcement of the—
- (a) National Minimum Wage Act 1998;
  - (b) Gangmasters Licensing Act 2004;
  - (c) Equalities Act 2010; and
  - (d) Housing Act 2004.
- (2) The review shall assess the impact of each Act in relation to European Community immigration and shall make recommendations to the Secretary of State for Business, Innovation and Skills, the Home Secretary and the Minister of State in the Cabinet Office with a copy of the report being placed in the library of each House of Parliament.’.

**ORDER OF THE HOUSE [22 OCTOBER 2013]**

That the following provisions shall apply to the Immigration Bill:

*Committal*

1. The Bill shall be committed to a Public Bill Committee.

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 19th November 2013.
3. The Public Bill Committee shall have leave to sit twice on the first day on

**Immigration Bill**, *continued*

which it meets.

*Consideration and Third Reading*

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on consideration and Third Reading.

*Other proceedings*

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

## ORDER OF THE COMMITTEE [29 OCTOBER 2013]

That—

- (1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 29 October) meet—
  - (a) at 2.00 pm on Tuesday 29 October;
  - (b) at 11.30 am and 2.00 pm on Thursday 31 October;
  - (c) at 8.55 am and 2.00 pm on Tuesday 5 November;
  - (d) at 11.30 am and 2.00 pm on Thursday 7 November;
  - (e) at 8.55 am and 2.00 pm on Tuesday 12 November;
  - (f) at 8.55 am and 2.00 pm on Tuesday 19 November;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

**TABLE**

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 29 October	Until no later than 9.45 am	Professor J Meirion Thomas, The Royal Marsden; Jacqueline Bishop, Brighton and Sussex University Trust and co-chair of the Overseas Visitors Advisory Group, NHS
Tuesday 29 October	Until no later than 10.45 am	British Medical Association; Royal College of General Practitioners; Academy of Medical Royal Colleges
Tuesday 29 October	Until no later than 11.25 am	MigrationWatch UK
Tuesday 29 October	Until no later than 3.00 pm	National Landlords Association; Residential Landlords Association; UK Association of Lettings Agents

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<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 29 October	Until no later than 3.30 pm	Crisis
Tuesday 29 October	Until no later than 4.00 pm	Universities UK
Tuesday 29 October	Until no later than 4.30 pm	Immigration Law Practitioners' Association
Thursday 31 October	Until no later than 12.00 noon	JUSTICE
Thursday 31 October	Until no later than 12.30 pm	Liberty
Thursday 31 October	Until no later than 1.00 pm	Joint Council for the Welfare of Immigrants
Thursday 31 October	Until no later than 2.45 pm	Home Office

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 and 2; Schedule 1; Clauses 3 to 8; Schedule 2; Clauses 9 to 15; Schedule 3; Clauses 16 to 47; Schedule 4; Clauses 48 to 53; Schedule 5; Clauses 54 to 57; Schedule 6; Clause 58; Schedule 7; Clauses 59 to 62; Schedule 8; Clauses 63 to 66; new Clauses; new Schedules; remaining proceedings on the Bill; and
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 19 November.
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