



HOUSE OF COMMONS

Immigration Bill

CONSIDERATION

30 January 2014

Yvette Cooper

Mr David Hanson

Helen Jones

Phil Wilson

- (a) As an amendment to Secretary Theresa May's proposed new Clause (*Deprivation of citizenship: conduct seriously prejudicial to vital interests of the UK*):

Line 12, at end insert: 'and

- (c) the court gives the Secretary of State permission under subsection (4B).

(4B) (1) This sub-section applies if the Secretary of State:

- (a) makes the relevant decisions in relation to an individual in a case which falls within subsection (4A)
(b) makes an application to the court for permission to make an order.

(2) The application must set out how the deprivation is conducive to the public good and how the person, while having that citizenship status, has conducted himself or herself in a manner which is seriously prejudicial to the vital interests of the United Kingdom, and of the islands, or any British overseas territory.

(3) The function of the court on the application is:

- (a) to determine whether the relevant decision of the Secretary of State is obviously flawed, and
(b) to determine whether to give permission to deprive a person of citizenship in a case which falls within subsection (4A)

(4) In determining the application, the court must apply the principles applicable on an application for judicial review.

(5) In a case where the court determines that a decision of the Secretary of State in relation to the conditions set out in subsection (4A)(b) is obviously flawed, the court may not give permission under this section.

(6) In any other case, the court may give permission under this section.’.

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(b) As an amendment to Secretary Theresa May’s proposed new Clause (*Deprivation of citizenship: conduct seriously prejudicial to vital interests of the UK*):

Line 16, at end add: ‘(3) The court is the appropriate tribunal for the purposes of section 7 of the Human Rights Act 1998.’.