



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Monday 27 January 2014**

### CONSIDERATION OF BILL

#### IMMIGRATION BILL, AS AMENDED

##### *NEW CLAUSES*

##### *Supplementary provision*

Secretary Theresa May

**NC11**

To move the following Clause:—

- (1) This section applies if the referral and investigation scheme is extended by an order under section 4848 (an “extension order”).
- (2) The Secretary of State may make administrative regulations in connection with the application of the scheme—
  - (a) to proposed marriages or civil partnerships under the law of Scotland (insofar as the scheme is extended to them), and
  - (b) to proposed marriages or civil partnerships under the law of Northern Ireland (insofar as the scheme is extended to them).
- (3) For that purpose “administrative regulations” means regulations of any kind set out in Schedule (*Sham marriage and civil partnership: administrative regulations*) (sham marriage and civil partnership: administrative regulations).
- (4) The Secretary of State may by order make provision about—
  - (a) the information that must or may be given, or
  - (b) the matters in respect of which evidence must or may be given,
 in relation to proposed marriages or civil partnerships under the law of Scotland or Northern Ireland in cases where one or both of the parties is not a relevant national.
- (5) An order under subsection (4) may amend, repeal or revoke any enactment (including an enactment contained in this Act or in provision made by an extension order or an order under subsection (4)).
- (6) If an extension order makes provision (“information disclosure provision”) having similar effect to the provision made by paragraph 2 of Schedule 55 about the disclosure of information for immigration purposes, the Secretary of State may by order specify other immigration purposes (in addition to those specified in provision made by an extension order or in any provision made under this

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**Immigration Bill, *continued***

subsection) for which information may be disclosed under the information disclosure provision.

- (7) The Secretary of State must consult—
- (a) the Registrar General for Scotland before making administrative regulations, or an order under subsection (4), in relation to proposed marriages or civil partnerships under the law of Scotland;
  - (b) the Registrar General for Northern Ireland before making administrative regulations, or an order under subsection (4), in relation to proposed marriages or civil partnerships under the law of Northern Ireland.
- (8) Expressions used in this section or Schedule (*Sham marriage and civil partnership: administrative regulations*) that are also used in section 4848 have the same meanings in this section or Schedule (*Sham marriage and civil partnership: administrative regulations*) as in section 4848.’
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*Power to charge fees for attendance services in particular cases*

Secretary Theresa May

**NC12**

To move the following Clause:—

- (1) This section applies where a person exercises a function in connection with immigration or nationality in respect of which a fee is chargeable by virtue of a fees order (a “chargeable function”) in a particular case and—
- (a) in doing so attends at a place outside the United Kingdom, and time, agreed with a person (“the client”), and
  - (b) does so at the request of the client.
- It is immaterial whether or not the client is a person in respect of whom the chargeable function is exercised.
- (2) In this section “attendance service” means the service described in subsection (1) except so far as it consists of the exercise of a chargeable function.
- (3) The following are to be disregarded in determining whether a fee is chargeable in respect of a function by virtue of a fees order—
- (a) any exception provided for by a fees order or fees regulations;
  - (b) any power so provided to waive or refund a fee.
- (4) The person exercising the chargeable function may charge the client such fee for the purposes of recovering the costs of providing the attendance service as the person may determine.
- (5) Fees paid to the Secretary of State by virtue of this section must be paid into the Consolidated Fund.
- (6) A fee payable by virtue of this section may be recovered as a debt due to the Secretary of State.
- (7) This section is without prejudice to—
- (a) section 60;
  - (b) section 1 of the Consular Fees Act 1980 (fees for consular acts etc.);
  - (c) section 102 of the Finance (No. 2) Act 1987 (government fees and charges), or

**Immigration Bill, continued**

(d) any other power to charge a fee.’.

*Restrictions on Bulgarian and Romanian migrants*

Nigel Mills  
Mr Philip Hollobone  
Mr Douglas Carswell  
Philip Davies  
Mr David Nuttall  
Stephen Barclay

Mr Charles Walker  
Andrew Rosindell  
Jason McCartney  
Dr Julian Lewis  
Mr John Redwood  
David T. C. Davies  
Mark Reckless  
Mr Aidan Burley  
Charlotte Leslie  
Mr Graham Brady  
Dr Phillip Lee  
Heather Wheeler  
Chris Kelly  
Jacob Rees-Mogg  
Mr Dominic Raab  
Mr Ian Liddell-Grainger  
Nadine Dorries  
David Simpson  
Mr Bernard Jenkin  
Mr James Gray  
Bob Stewart  
Andrew Stephenson

Andrew Percy  
Mark Pritchard  
Tracey Crouch  
Karl McCartney  
Sir Gerald Howarth  
Mr Stewart Jackson  
Mr Laurence Robertson  
Henry Smith  
Mrs Anne Main  
Mr David Ruffley  
Stephen Phillips  
Jack Lopresti  
Mr Nigel Dodds  
Mr Adam Holloway  
Gordon Henderson  
Richard Drax  
Mark Field  
Sammy Wilson  
Christopher Pincher  
Mr Graham Stuart  
James Duddridge  
Guto Bebb

Andrew Bridgen  
Mr Christopher Chope  
Mr Andrew Turner  
Martin Vickers  
Nick de Bois  
Bob Blackman  
Mr John Whittingdale  
Sir Edward Leigh  
Bill Wiggin  
Mr John Baron  
Anne Marie Morris  
Andrew Bingham  
Mr David Davis  
Angie Bray  
Mr Brian Binley  
Simon Reeve  
Dr William McCrea  
Chris Heaton-Harris  
Jesse Norman  
Jim Shannon  
Tim Loughton

**NC1**

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.’.

As an Amendment to Nigel Mills’s proposed New Clause (*Restrictions on Bulgarian and Romanian migrants*) (NC1):—

Mr Peter Bone  
Mr William Cash

**(a)**

Line 2, after ‘shall’, insert ‘, notwithstanding the provisions of the European Communities Act 1972, be reinstated from the date that Royal Assent is

**Immigration Bill, *continued***

signified to this Act and shall’.

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*Pilot of residential housing provisions*

Yvette Cooper  
Mr David Hanson  
Phil Wilson  
Helen Jones

**NC2**

To move the following Clause:—

- ‘(1) The Secretary of State may by order (the “pilot order”) appoint a day on which sections 15 to 32 are to come into force in respect of an area or areas specified in the order.
  - (2) The Secretary of State may make one pilot order only.
  - (3) An order to which subsection (1) applies may be made only if a draft of it has been laid before and approved by a resolution of both Houses of Parliament.
  - (4) Sections 15 to 32 of this Act come into force on the day after the Secretary of State has—
    - (a) laid before Parliament a report setting out an evaluation of the pilot ordered under subsection (1); and
    - (b) a draft of the order has been laid before and approved by a resolution of both Houses of Parliament by the end of the 2014-15 session of Parliament.’.
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*Review of labour market and immigration*

Yvette Cooper  
Mr David Hanson  
Helen Jones  
Phil Wilson

**NC3**

To move the following Clause:—

- ‘(1) As soon as practicable the government shall produce an assessment of the impact of European Union immigration to the UK with specific reference to Bulgarian and Romanian accession and accession countries from 1 January 2004 with regard to—
  - (a) non compliance with and enforcement of the national minimum wage;
  - (b) exploitation by gangmasters;
  - (c) shift segregation and the actions of employment agencies; and
  - (d) housing conditions and rogue landlords.
- (2) The review shall make recommendations in relation to European Community immigration to the Secretary of State for Business, Innovation and Skills, the

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**Immigration Bill, *continued***

Home Secretary and the Minister for the Cabinet Office with a copy of the report being placed in the Library of each House of Parliament.’.

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*Duty to assess whether EU immigration is excessive*

Stephen Phillips  
 Stephen Barclay  
 Mr Charles Walker  
 Chris Heaton-Harris  
 Mr Mark Spencer  
 Oliver Colville

Henry Smith  
 Mr Peter Bone  
 Bill Wiggin  
 Simon Hart

James Wharton  
 Mr William Cash  
 James Duddridge  
 Caroline Dinelage

Guto Bebb  
 Rebecca Harris  
 David Morris

**NC4**

To move the following Clause:—

- ‘(1) The Secretary of State must make, in respect of each assessment period, an assessment of whether EU immigration is excessive.
- (2) The Secretary of State must make an assessment as soon as practicable after the end of the assessment period in question.
- (3) It is for the Secretary of State to decide which matters to take into account when making an assessment.
- (4) The Secretary of State may, in particular, take into account the effects, or expected effects, of EU immigration in the United Kingdom (including effects on the labour market).’.

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*Duty to produce report if EU immigration is excessive*

Stephen Phillips  
 Stephen Barclay  
 Mr Charles Walker  
 Chris Heaton-Harris  
 Mr Mark Spencer  
 Oliver Colville

Henry Smith  
 Mr Peter Bone  
 Bill Wiggin  
 Simon Hart

James Wharton  
 Mr William Cash  
 James Duddridge  
 Caroline Dinelage

Guto Bebb  
 Rebecca Harris  
 David Morris

**NC5**

To move the following Clause:—

- ‘(1) This section applies if the assessment made by the Secretary of State in respect of a particular assessment period is that EU immigration is excessive.

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**Immigration Bill, continued**

- (2) The Secretary of State must produce an EU immigration report in relation to the assessment period.
- (3) An EU immigration report is a document which sets out—
  - (a) the Secretary of State's reasons for making that assessment;
  - (b) the Secretary of State's views on the effects or expected effects of the excessive EU immigration in the United Kingdom (including effects on the labour market); and
  - (c) the steps which the Secretary of State is proposing to take in response to the situation.
- (4) An EU immigration report may include any other material which the Secretary of State considers appropriate.
- (5) The Secretary of State must lay a copy of an EU immigration report before each House of Parliament.
- (6) The Secretary of State must comply with subsections (4) and (5) before the end of the relevant reporting period.'.

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*Interpretation of sections (Duty to assess whether EU immigration is excessive) and (Duty to produce report if EU immigration is excessive)*

Stephen Phillips  
 Stephen Barclay  
 Mr Charles Walker  
 Chris Heaton-Harris  
 Mr Mark Spencer  
 Oliver Colville

Henry Smith  
 Mr Peter Bone  
 Bill Wiggin  
 Simon Hart

James Wharton  
 Mr William Cash  
 James Duddridge  
 Caroline Dinenage

Guto Bebb  
 Rebecca Harris  
 David Morris

**NC6**

To move the following Clause:—

- '(1) This section applies for the purposes of sections [*Duty to assess whether EU immigration is excessive*] and [*Duty to produce report if EU immigration is excessive*] (and this section).
- (2) A reference to "EU immigration" is a reference to—
  - (a) nationals of member states other than the United Kingdom, and
  - (b) members of their families,
 entering or remaining in the United Kingdom in the exercise of an EU right of residence.
- (3) These expressions have the meanings given—
 

"assessment" means an assessment under section [*Duty to assess whether EU immigration is excessive*];

"assessment period" means—

  - (a) a calendar year, or
  - (b) if another period (not longer than a year) is specified by order made by the Secretary of State, that period;

**Immigration Bill, *continued***

“EU right of residence” means a right of residence in the United Kingdom which arises by virtue of—

- (a) an enforceable EU right, or
- (b) any provision made under section 2(2) of the European Communities Act 1972;

“relevant reporting period”, in relation to an EU immigration report, means—

- (a) the period of six months, or
- (b) if a different period is specified by order made by the Secretary of State, that period,

beginning with the day following the last day of the assessment period to which the report relates;

- (4) A statutory instrument containing an order under this section may not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House of Parliament.’

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*Duty to assess expected immigration effects of accession*

Stephen Phillips  
 Stephen Barclay  
 Mr Charles Walker  
 Chris Heaton-Harris  
 Mr Mark Spencer  
 Oliver Colvile

Henry Smith  
 Mr Peter Bone  
 Bill Wiggin  
 Simon Hart

James Wharton  
 Mr William Cash  
 James Duddridge  
 Mr David Hanson

Guto Bebb  
 Rebecca Harris  
 David Morris  
 Caroline Dinenge

NC7

To move the following Clause:—

- ‘(1) This section applies if Her Majesty’s Government enters into negotiations on the terms of an EU accession treaty.
- (2) The Secretary of State must make an assessment of the changes to—
  - (a) EU immigration, and
  - (b) the effects of EU immigration in the United Kingdom (including effects on the labour market),
 which could be expected if the proposed member State were to accede to the EU.
- (3) The Secretary of State must make the assessment as soon as the Secretary of State considers it appropriate to do so.
- (4) As soon as practicable after making an assessment, the Secretary of State must lay a copy of the assessment before each House of Parliament.
- (5) In making an assessment, the Secretary of State may make assumptions about the rights to enter and remain in the United Kingdom that nationals of the proposed member State and members of their families could be expected to enjoy if the proposed member State acceded to the EU.
- (6) If the Secretary of State considers it appropriate to do so, the Secretary of State may—

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**Immigration Bill, *continued***

- (a) make a new assessment in place of any assessment previously made under this section, or
- (b) revise any assessment previously made (or previously revised) under this section;

and, in such a case, references in this section and section 2 to an assessment, or to the making of an assessment, are to be read accordingly.

- (7) This section applies whether Her Majesty's Government enters into negotiations before or after this section comes into force.?

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*Duties when conducting accession negotiations*

Stephen Phillips  
 Stephen Barclay  
 Mr Charles Walker  
 Chris Heaton-Harris  
 Mr Mark Spencer  
 Oliver Colville

Henry Smith  
 Mr Peter Bone  
 Bill Wiggin  
 Simon Hart

James Wharton  
 Mr William Cash  
 James Duddridge  
 Mr David Hanson

Guto Bebb  
 Rebecca Harris  
 David Morris  
 Caroline Dinenege

**NC8**

To move the following Clause:—

- (1) This section applies if the Secretary of State makes an assessment under section [*Duty to assess expected immigration effects of accession*] in relation to the accession of a proposed member State to the EU.
  - (2) A Minister of the Crown must have regard to the assessment when conducting negotiations on the terms of the EU accession treaty.
  - (3) The steps which the Minister of the Crown may take in conducting those negotiations include steps taken with a view to securing that, if the proposed member State were to accede to the EU, the United Kingdom may impose appropriate transitional controls on nationals of that State and members of their families.?
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**Immigration Bill, continued**

*Duties before ratification of accession treaties*

Stephen Phillips  
 Stephen Barclay  
 Mr Charles Walker  
 Chris Heaton-Harris  
 Mr Mark Spencer  
 Oliver Colvile

Henry Smith  
 Mr Peter Bone  
 Bill Wiggin  
 Simon Hart

James Wharton  
 Mr William Cash  
 James Duddridge  
 Mr David Hanson

Guto Bebb  
 Rebecca Harris  
 David Morris  
 Caroline Dinanage

NC9

To move the following Clause:—

- (1) This section applies if Her Majesty's Government has agreed the terms of an EU accession treaty.
- (2) As soon as practicable after the terms have been agreed, the Secretary of State must commission an independent accession assessment from—
  - (a) the Migration Advisory Committee, or
  - (b) some other body of persons which is, in the Secretary of State's view, independent of Her Majesty's Government and appropriate to advise Her Majesty's Government on matters relating to immigration.
- (3) An independent accession assessment is a document which assesses the following two matters.
- (4) First, it must assess the changes to—
  - (a) EU immigration, and
  - (b) the effects of EU immigration in the United Kingdom (including effects on the labour market),
 which are expected after the accession of the proposed member State to the EU.
- (5) Secondly, it must assess the extent to which those changes would adversely affect the interests of the United Kingdom (if the changes were to occur).
- (6) As soon as practicable after the independent accession assessment is received, the Secretary of State must produce an accession report.
- (7) In producing the accession report, the Secretary of State must have regard to the independent accession assessment.
- (8) An accession report is a document which sets out—
  - (a) the Secretary of State's views on the changes (if any) to EU immigration which are expected after the accession of the proposed member State to the EU; and
  - (b) the Secretary of State's views on the extent (if any) to which any such changes would adversely affect the interests of the United Kingdom (if the changes were to occur).
- (9) An accession report may include any other material which the Secretary of State considers appropriate.
- (10) As soon as practicable after producing an accession report, the Secretary of State must lay a copy of the report before each House of Parliament.
- (11) The Secretary of State must comply with subsections (2), (6) and (10) before the EU accession treaty is ratified by the United Kingdom.'

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**Immigration Bill, continued**

*Interpretation of sections [Duty to assess expected immigration effects of accession] to [Duties before ratification of accession treaties]*

Stephen Phillips  
 Stephen Barclay  
 Mr Charles Walker  
 Chris Heaton-Harris  
 Mr Mark Spencer  
 Oliver Colvile

Henry Smith  
 Mr Peter Bone  
 Bill Wiggin  
 Simon Hart

James Wharton  
 Mr William Cash  
 James Duddridge  
 Mr David Hanson

Guto Bebb  
 Rebecca Harris  
 David Morris  
 Caroline Dinéage

**NC10**

To move the following Clause:—

- ‘(1) This section applies for the purposes of sections [*Duty to assess expected immigration effects of accession*] to [*Duties before ratification of accession treaties*] (and this section).
- (2) A reference to “EU immigration” is a reference to—
- (a) nationals of member States other than the United Kingdom, and
  - (b) members of their families,
- entering or remaining in the United Kingdom in the exercise of an EU right of residence.
- (3) These expressions have the meanings given—
- “appropriate transitional controls” means immigration controls which are, in the view of a Minister of the Crown, appropriate;
- “EU accession treaty” means a treaty which provides for a state to accede to the EU;
- “EU right of residence” means a right of residence in the United Kingdom which arises by virtue of—
- (c) an enforceable EU right, or
  - (d) any provision made under section 2(2) of the European Communities Act 1972;
- “Minister of the Crown” includes the Treasury;
- “proposed member State” means a state which would accede to the EU by virtue of an EU accession treaty.’

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*Right of appeal: Impact assessment*

Mr David Hanson

**NC13**

To move the following Clause:—

- ‘Before the Secretary of State makes an order under section 65 (commencement) to bring into force section 11 (Right of appeal to First-tier Tribunal) he must—
- (a) undertake an impact assessment of—
    - (i) the number of appeals effected by the provisions of section 11; and

**Immigration Bill, *continued***

- (ii) the costs attributable to appeals to First-tier Tribunals; and
- (b) lay a copy of a report on that impact assessment before Parliament.’.

*Support for prescribed groups*

Sarah Teather  
Jeremy Corbyn

NC14

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” substitute “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;
    - (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.

**Immigration Bill, continued**

- (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.”.

*Exceptions to automatic deportation*

Mr Dominic Raab  
 Nick de Bois  
 Hazel Blears  
 Nick Herbert  
 Ms Gisela Stuart  
 Mr Crispin Blunt

Kate Hoey  
 Tracey Crouch  
 Mr Graham Brady  
 Derek Twigg  
 Bob Blackman  
 Mr John Whittingdale  
 Mr Douglas Carswell  
 Andrew Percy  
 Philip Davis  
 Mr Andrew Turner  
 Andrew Rosindell  
 Mr James Gray  
 Karl McCartney  
 Mr Nigel Evans  
 Mike Weatherley  
 Caroline Nokes  
 Nigel Mills  
 Richard Graham  
 Mr John Redwood  
 Simon Reeve  
 Steve Baker  
 Chris Heaton-Harris  
 Sir Edward Leigh  
 Mr John Baron  
 Mr Brian Binley  
 Mr William Cash  
 Karen Lumley  
 Simon Hart  
 Conor Burns  
 Mr Mark Field  
 Dr Matthew Offord  
 Bob Stewart  
 Martin Vickers

Anne Marie Morris  
 Siobhian McDonagh  
 Mr Nigel Dodds  
 Stephen Barclay  
 Charlotte Leslie  
 Mr David Davis  
 Dr Sarah Wollaston  
 Sir Gerald Howarth  
 Mr Adam Holloway  
 Dr Julian Lewis  
 Mr Stewart Jackson  
 Mark Pritchard  
 Mr David Nuttall  
 David T. C. Davies  
 Mr Charles Walker  
 Mr Gary Streeter  
 Mr David Amess  
 Mr James Clappison  
 Mr Aidan Burley  
 Stephen McPartland  
 Zac Goldsmith  
 Patrick Mercer  
 Chris Kelly  
 George Freeman  
 Bill Wiggin  
 Angie Bray  
 Mr Peter Lilley  
 Jacob Rees-Mogg  
 Alec Shelbrooke  
 Nicholas Soames  
 Andrew Bridgen  
 David Tredinnick

Mr Frank Field  
 Mr Andrew Mitchell  
 Jackie Doyle-Price  
 Mrs Anne Main  
 Andrea Leadsom  
 Tim Loughton  
 Henry Smith  
 Andrew Bingham  
 Jonathan Lord  
 Mr David Ruffley  
 Mr Graham Stuart  
 Sir Richard Shepherd  
 Dr Phillip Lee  
 Nadine Dorries  
 Gordon Henderson  
 Mr Peter Bone  
 Mr Bernard Jenkin  
 Mark Reckless  
 Mr Jonathan Djanogly  
 Jeremy Lefroy  
 Richard Drax  
 Mr Brooks Newmark  
 Mr Philip Hollobone  
 Mr Christopher Chope  
 Dan Byles  
 Glyn Davies  
 Sir Paul Beresford  
 Caroline Dinéage  
 Guto Bebb  
 Craig Whittaker  
 Heather Wheeler  
 Mr Julian Brazier

**NC15**

To move the following Clause:—

- ‘(1) The UK Borders Act 2007 is amended as follows.  
 (2) In section 33 (Exceptions), in subsection (2)(a), for “Convention rights”, substitute “rights under Articles 2 or 3 of the Convention”.  
 (3) In section 33, after subsection (6A), insert—

**Immigration Bill, *continued***

- “(6B) Exception 7 is where the Secretary of State thinks, taking into account all the circumstances of the case including the seriousness of the offence, that removal of the foreign criminal from the United Kingdom in pursuance of a deportation order would cause such manifest and overwhelming harm to his children that it overrides the public interest in removal.”.
- (4) In section 38 (Interpretation)—
- (a) after subsection (3), insert—
- “(3A) In section 32, “Convention rights” has the same meaning as in the Human Rights Act 1998 (c. 42).”;
- (b) omit paragraph (4)(b);
- (c) after subsection (4) insert—
- “(4A) In section 33, “rights under Articles 2 or 3 of the Convention” means Articles 2 or 3 of “the Convention” as defined in the Human Rights Act 1998 (c. 42).”.

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*Safeguarding public health for migrants in the UK without status*

Meg Hillier  
Jeremy Corbyn  
John McDonnell

**NC16**

To move the following Clause:—

‘When calculating charges to be made under section 175 of the National Health Service Act 2006 (charges in respect of non-residents), the Secretary of State must have regard to the need to safeguard public health with particular reference to the prevention of infectious diseases, maternal death and infant mortality for those persons who remain in the UK or are waiting for a decision on their leave to enter.’.

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Sarah Teather  
Jeremy Corbyn

**56**

Clause 3, page 2, line 41, at end insert—

‘(1A) In paragraph 16 (detention of persons liable to examination or removal) after paragraph (4) insert—

“(5) A person detained under this paragraph must be released on bail in accordance with paragraph 22 after no later than the twenty-eighth day following that on which the person was detained.”.

Sarah Teather  
Jeremy Corbyn

**57**

Clause 3, page 3, line 10, leave out subsection (3) and insert—

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**Immigration Bill, *continued***

- (3) In paragraph 22 (bail) at end insert—
- “(4) The following provisions apply if a person is detained under any provision of this Act—
- (a) The Secretary of State must arrange a reference to the First-tier Tribunal for it to determine whether the detained person should be released on bail;
  - (b) The Secretary of State must secure that a first reference to the First-tier Tribunal is made no later than the eighth day following that on which the detained person was detained;
  - (c) If the detained person remains in detention, the Secretary of State must secure that a second reference to the First-tier Tribunal or Commission is made no later than the thirty-sixth day following that on which the detained person was detained;
  - (d) The First-tier Tribunal hearing a case referred to it under this section must proceed as if the detained person had made an application to it for bail; and
  - (e) The First-tier Tribunal must determine the matter—
    - (i) on a first reference, before the tenth day following that on which the person concerned was detained; and
    - (ii) on a second reference, before the thirty-eighth day following that on which he was detained.
- (5) For the purposes of this paragraph, “First-tier Tribunal” means—
- (a) if the detained person has brought an appeal under the Immigration Acts, the chamber of the First-tier Tribunal dealing with his appeal; and
  - (b) in any other case, such chamber of the First-tier Tribunal as the Secretary of State considers appropriate.
- (6) In case of a detained person to whom section 3(2) of the Special Immigration Appeals Commission Act 1997 applies (jurisdiction in relation to bail for persons detained on grounds of national security) a reference under sub-paragraph (3)(a) above, shall be to the Commission and not to the First-tier Tribunal.
- (7) Rules made by the Lord Chancellor under section 5 of the Special Immigration Appeals Commission Act 1997 may include provision made for the purposes of this paragraph.”’.

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Immigration Bill, *continued*

Yvette Cooper  
 Mr David Hanson  
 Phil Wilson  
 Helen Jones  
 Sarah Teather  
 Caroline Lucas

1

Page 8, line 19, leave out Clause 11.

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Secretary Theresa May

6

Clause 12, page 10, line 10, leave out from ‘appeal’ to end of line 17 and insert ‘, the appeal must be brought from outside the United Kingdom if—

- (a) the claim to which the appeal relates has been certified under section 94(1) or (7) (claim clearly unfounded or removal to safe third country), or
- (b) paragraph 5(3)(a), 10(3), 15(3) or 19(b) of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (removal of asylum seeker to safe third country) applies.

Otherwise, the appeal must be brought from within the United Kingdom.’

Secretary Theresa May

7

Clause 12, page 10, line 19, leave out from ‘appeal’ to end of line 33 and insert ‘where the claim to which the appeal relates was made while the appellant was in the United Kingdom, the appeal must be brought from outside the United Kingdom if—

- (a) the claim to which the appeal relates has been certified under section 94(1) or (7) (claim clearly unfounded or removal to safe third country) or section 94B (certification of human rights claims made by persons liable to deportation), or
- (b) paragraph 5(3)(b) or (4), 10(4), 15(4) or 19(c) of Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (removal of asylum seeker to safe third country) applies.

Otherwise, the appeal must be brought from within the United Kingdom.

- ( ) In the case of an appeal under section 82(1)(b) (human rights claim appeal) where the claim to which the appeal relates was made while the appellant was outside the United Kingdom, the appeal must be brought from outside the United Kingdom.’

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Sarah Teather

2

Clause 14, page 12, line 22, at end insert—

- ‘(za) first, to the best interests of any child affected by a decision as specified in section 117A(1).’

Sarah Teather

3

Clause 14, page 13, line 11, leave out ‘qualifying’.

**Immigration Bill, continued**

Sarah Teather

4

Clause 14, page 13, line 12, leave out ‘reasonable to expect’ and insert ‘in the best interests of’.

Mr Dominic Raab  
Mr David Blunkett  
Nick de Bois  
Hazel Blears  
Nick Herbert  
Ms Gisela Stuart

Mr Crispin Blunt	Kate Hoey	Anne Marie Morris
Mr Frank Field	Tracey Crouch	Siobhian McDonagh
Mr Andrew Mitchell	Mr Graham Brady	Mr Nigel Dodds
Jackie Doyle-Price	Derek Twigg	Stephen Barclay
Mrs Anne Main	Bob Blackman	Charlotte Leslie
Andrea Leadsom	Mr John Whittingdale	Mr David Davis
Tim Loughton	Mr Douglas Carswell	Dr Sarah Wollaston
Henry Smith	Andrew Percy	Sir Gerald Howarth
Andrew Bingham	Philip Davis	Mr Adam Holloway
Jonathan Lord	Mr Andrew Turner	Dr Julian Lewis
Mr David Ruffley	Andrew Rosindell	Mr Stewart Jackson
Mr Graham Stuart	Mr James Gray	Mark Pritchard
Sir Richard Shepherd	Karl McCartney	Mr David Nuttall
Dr Phillip Lee	Mr Nigel Evans	David T. C. Davies
Nadine Dorries	Mike Weatherley	Mr Charles Walker
Gordon Henderson	Caroline Nokes	Mr Gary Streeter
Mr Peter Bone	Nigel Mills	Mr David Amess
Mr Bernard Jenkin	Richard Graham	Mr James Clappison
Mark Reckless	Mr John Redwood	Mr Aidan Burley
Mr Jonathan Djanogly	Simon Reeve	Stephen McPartland
Jeremy Lefroy	Steve Baker	Zac Goldsmith
Richard Drax	Chris Heaton-Harris	Patrick Mercer
Mr Brooks Newmark	Sir Edward Leigh	Chris Kelly
Mr Philip Hollobone	Mr John Baron	George Freeman
Mr Christopher Chope	Mr Brian Binley	Bill Wiggin
Dan Byles	Mr William Cash	Angie Bray
Glyn Davies	Karen Lumley	Mr Peter Lilley
Sir Paul Beresford	Simon Hart	Jacob Rees-Mogg
Caroline Dinéage	Conor Burns	Alec Shelbrooke
Guto Bebb	Mr Mark Field	Nicholas Soames
Craig Whittaker	Dr Matthew Offord	Andrew Bridgen
Heather Wheeler	Bob Stewart	David Tredinnick
Mr Julian Brazier	Martin Vickers	

62

Clause 14, page 13, leave out lines 14 to 39 and insert—

**‘117C Cases involving Foreign Criminals**

- (1) No decision of the Secretary of State under section 33(6B) (Exceptions) of the UK Borders Act 2007 may be questioned except on appeal to the High Court.
- (2) For the purposes of determining whether to give permission to appeal and determining any such appeal under subsection (1) the High Court must apply the procedures and principles which would be applied by it on an application for judicial review.’.



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**Immigration Bill, *continued***

Sarah Teather  
Jeremy Corbyn

58

Clause 14, page 13, leave out lines 19 to 39 and insert—  
'(3) The promotion of the best interests of children is in the public interest.'

Sarah Teather

5

Clause 14, page 13, line 44, leave out from beginning to end of line 3 on page 14.

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Sarah Teather  
Jeremy Corbyn

63

Page 15, line 3, leave out Clauses 15 to 32.

Sarah Teather  
Jeremy Corbyn

59

Clause 15, page 16, line 2, after 'if', insert—  
'P is—

- (a) an asylum seeker or the dependant of an asylum-seeker as defined in section 94 of the Immigration and Asylum Act 1999 (c. 33);
  - (b) a person provided with accommodation under section 17 of the Children Act 1989 or otherwise under that Act;
  - (c) a person accommodated in a refuge as a survivor of domestic violence;
  - (d)
    - (i) an applicant for a Tier 4 visa holding a certificate of acceptance of studies issued by an authority-funded educational institution; or
    - (ii) an applicant for a student visitor visa for a period longer than six months.
  - (e) a person who is resident outside the UK and is studying English in the UK who is accommodated in Homestay accommodation.
  - (f) '.
- 

Paul Blomfield

68

Clause 33, page 27, line 30, after 'charge', insert 'including but not limited to—  
'(i) applicants for a Tier 4 visa holding a certificate of acceptance of studies issued by an authority-funded educational institution; and  
(ii) applicants for Student Visitor Visas for a period longer than six months.'

Paul Blomfield

69

Clause 33, page 27, line 30, after 'charge', insert 'including but not limited to applicants for a Tier 1, 2 or 5 visa sponsored by an institution which has been granted degree awarding powers by a Royal Charter, Act or Parliament.'

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**Immigration Bill, *continued***

Paul Blomfield

70

Clause 33, page 27, line 41, at the beginning insert “‘authority-funded’ has the meaning given by regulation 4(a) of the Education (Student Support and European University Institute) (Amendment) Regulations 2013.”.

Secretary Theresa May

23

Clause 52, page 42, line 22, leave out ‘(7)’ and insert ‘(9)’.

Secretary Theresa May

24

Clause 52, page 42, line 38, leave out subsection (6) and insert—

‘( ) For paragraph 1(1) substitute—

“1 (1A) Part 3 of this Schedule applies if—

- (a) two people wish to register in Scotland as civil partners of each other, and
- (b) one of them is subject to immigration control.

(1B) Part 4 of this Schedule applies if—

- (a) two people wish to register in Northern Ireland as civil partners of each other, and
- (b) one of them is subject to immigration control.”.

Secretary Theresa May

25

Clause 52, page 42, line 41, leave out first ‘paragraph’ and insert ‘Part’.

Secretary Theresa May

26

Clause 52, page 42, line 42, at end insert—

‘(8) For paragraph 8 substitute—

“8 This Part of this Schedule applies as mentioned in paragraph 1(1A).”.

(9) For paragraph 12 substitute—

“12 This Part of this Schedule applies as mentioned in paragraph 1(1B).”.

Secretary Theresa May

45

Clause 60, page 46, line 37, leave out from beginning to ‘may’ in line 12 on page 47 and insert—

‘(3) A fees order—

- (a) must specify how the fee in respect of the exercise of each specified function is to be calculated, and
- (b) ’.

**Immigration Bill, *continued***

- Secretary Theresa May 46
- Clause 60, page 47, line 14, at end insert—
- (3A) For any specified fee, a fees order must provide for it to comprise one or more amounts each of which is—
    - (a) a fixed amount, or
    - (b) an amount calculated by reference to an hourly rate or other factor.
  - (3B) Where a fees order provides for a fee (or part of a fee) to be a fixed amount, it—
    - (a) must specify a maximum amount for the fee (or part), and
    - (b) may specify a minimum amount.
  - (3C) Where a fees order provides for a fee (or part of a fee) to be calculated as mentioned in subsection (3A)(b), it—
    - (a) must specify—
      - (i) how the fee (or part) is to be calculated, and
      - (ii) a maximum rate or other factor, and
    - (b) may specify a minimum rate or other factor.
  - (3D) For any specified fee, the following are to be set by the Secretary of State by regulations (“fees regulations”)—
    - (a) if the fee (or any part of it) is to be a fixed amount, that amount;
    - (b) if the fee (or any part of it) is to be calculated as mentioned in subsection (3A)(b), the hourly rate or other factor by reference to which it (or that part) is to be calculated.’
- Secretary Theresa May 47
- Clause 60, page 47, line 15, leave out ‘The’ and insert ‘An’.
- Secretary Theresa May 48
- Clause 60, page 47, line 15, leave out ‘in respect’ and insert ‘for a fee in respect of the exercise’.
- Secretary Theresa May 49
- Clause 60, page 47, line 18, leave out ‘the function’ and insert ‘that amount, or rate or other factor’.
- Secretary Theresa May 50
- Clause 60, page 47, line 19, leave out ‘specified for the function’ and insert ‘so specified’.
- Secretary Theresa May 51
- Clause 60, page 47, line 32, at end insert—
- ‘ This is subject to section 61(5).’
- Secretary Theresa May 52
- Clause 60, page 47, line 44, after ‘section’ insert ‘and sections 61 and (*Power to charge fees for attendance services in particular cases*)’.

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**Immigration Bill, *continued***

Secretary Theresa May

53

Clause 60, page 48, line 11, after ‘section’ insert ‘or section (*Power to charge fees for attendance services in particular cases*)’.

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Sarah Teather  
Jeremy Corbyn

64

Clause 64, page 49, line 31, leave out paragraph (a).

Secretary Theresa May

27

Clause 64, page 49, line 34, at end insert ‘or (*Supplementary provision*)(4)’.

Sarah Teather  
Jeremy Corbyn

65

Clause 64, page 50, line 5, leave out ‘30(3)’.

Sarah Teather  
Jeremy Corbyn

66

Clause 64, page 50, line 6, leave out subsections (6) and (7).

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Sarah Teather  
Jeremy Corbyn

61

Clause 65, page 50, line 27, at end insert—

‘() Section 1 and Part II of this Act shall come into force on a day to be appointed, being no earlier than the day on which an order made by the Lord Chancellor under section 9(2)(a) of the Legal Aid, Sentencing and Punishment of Offenders Act 2013 in respect of civil legal services in connection with removal under section 1 and appeals under Part II comes into effect.’

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**NEW SCHEDULE**

Secretary Theresa May

NS1

To move the following Schedule:—

**Immigration Bill, continued**

‘SHAM MARRIAGE AND CIVIL PARTNERSHIP: ADMINISTRATIVE REGULATIONS

*Introduction*

- 1 (1) This Schedule sets out the kinds of regulations which may be made by the Secretary of State under section (*Supplementary provision*)(2).
- (2) In this Schedule—
  - “extension order” has the meaning given in section (*Supplementary provision*)(1);
  - “proposed Scottish or Northern Ireland marriage or civil partnership” means a proposed marriage or civil partnership under the law of Scotland or Northern Ireland.

*Notices*

- 2 (1) The Secretary of State may make regulations which make provision about the giving of relevant notices.
- (2) Regulations under this paragraph may, in particular, provide that a relevant notice given in accordance with the regulations is to be presumed to have been received by the person to whom it is given.
- (3) In this paragraph “relevant notice” means—
  - (a) a notice, under any provision of the referral and investigation scheme, which relates to a proposed Scottish or Northern Ireland marriage or civil partnership, and
  - (b) any other notice relating to the referral of a proposed Scottish or Northern Ireland marriage or civil partnership to the Secretary of State for the purposes of the referral and investigation scheme,
 (whether or not the notice falls to be given by virtue of provision made by an extension order).

*Evidence*

- 3 (1) The Secretary of State may make regulations about the supply of evidence in accordance with a relevant evidence provision.
- (2) Regulations under this paragraph may, in particular, make provision about—
  - (a) the kind of evidence which is to be supplied;
  - (b) the form in which evidence is to be supplied;
  - (c) the manner in which evidence is to be supplied;
  - (d) the period within which evidence is to be supplied;
  - (e) the supply of further evidence;
  - (f) the sufficiency of evidence supplied;
  - (g) the consequences of failing to supply sufficient evidence in accordance with the regulations (including provision to secure that, in such a case, a particular decision is made or is to be treated as having been made);
  - (h) the retention or copying of evidence supplied.
- (3) In this paragraph—
  - “evidence” includes a photograph or other image;
  - “relevant evidence provision” means provision (whether or not made by an extension order) about the supply of evidence in relation to a proposed Scottish or Northern Ireland marriage or civil partnership in a case where one or both of the parties is not a relevant national.

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**Immigration Bill, *continued****Change of address*

- 4 (1) The Secretary of State may, by regulations, make provision about the giving to the Secretary of State of—
- (a) notice of a relevant person's usual address, if the person's notified usual address changes;
  - (b) notice of a relevant person's UK contact address, if the person's notified usual address is not in the United Kingdom;
  - (c) notice of a relevant person's UK contact address, if the person's notified UK contact address changes;
  - (d) evidence of any address notified in accordance with regulations under paragraph (a), (b) or (c).
- (2) Regulations under this paragraph may, in particular, make—
- (a) provision imposing a requirement on a person;
  - (b) provision about the rejection of information or evidence which there are reasonable grounds to suspect to be false.
- (3) Regulations under sub-paragraph (1)(d) may, in particular, make any provision of the kind that may be made under paragraph 3(2).
- (4) In this paragraph—
- “notified”, in relation to an address of a relevant person, means notified (whether to the Secretary of State or another person) in connection with the proposed Scottish or Northern Ireland marriage or civil partnership (including any such address notified in accordance with provision made by an extension order or regulations made under this paragraph);
  - “relevant person” means a person who is a party to a proposed Scottish or Northern Ireland marriage or civil partnership in a case where that person or the other party is not a relevant national (or both of them are not relevant nationals);
  - “UK contact address” means an address in the United Kingdom at which a person can be contacted by post.

*Referral*

- 5 (1) The Secretary of State may make regulations requiring a person to act in accordance with the regulations when complying with a duty of referral.
- (2) The regulations may, in particular, make provision about—
- (a) the form, manner or timing of the referral;
  - (b) information, photographs or evidence — or copies of any of those things — to be included with the referral.
- (3) The Secretary of State may make regulations requiring a person who refers a proposed marriage or civil partnership in accordance with a duty of referral to give the parties to the proposed marriage information prescribed in the regulations about—
- (a) the effects of the referral;
  - (b) any requirements under regulations under paragraph 4 to notify the Secretary of State of changes of address.
- (4) In this paragraph—
- “duty of referral” means a duty (whether or not contained in provision made by an extension order) to refer a proposed Scottish or Northern Ireland marriage or civil partnership to the Secretary of State for the purposes of the referral and investigation scheme;
  - “referral” means the referral of a proposed Scottish or Northern Ireland marriage or civil partnership under a duty of referral.

**Immigration Bill, continued**

*Applications for shortening of waiting period*

- 6 (1) The Secretary of State may make regulations about the making, and granting, of applications for the shortening of a waiting period in cases where a proposed Scottish or Northern Ireland marriage or civil partnership is referred to the Secretary of State in accordance with a duty of referral.
- (2) Regulations may be made under this paragraph—
- (a) whether the application falls to be made by virtue of provision made by an extension order or otherwise;
  - (b) whether the application falls to be made to the Secretary of State or another person.
- (3) In this paragraph—
- “duty of referral” has the same meaning as in paragraph 5;
  - “waiting period”, in relation to a proposed Scottish or Northern Ireland marriage or civil partnership, means a period during which it is not possible for the marriage to be solemnized or civil partnership to be formed (but which falls after notice of the proposed marriage or civil partnership has been given for the purposes of enabling it to be solemnized or formed in due course).’.

Sarah Teather  
Jeremy Corbyn

Schedule 1, page 54, line 13, leave out paragraph (5).

60

Sarah Teather

Page 55, line 33, leave out Schedule 3.

72

Secretary Theresa May

Schedule 3, page 56, line 5, after ‘Part’ insert ‘1 or’.

17

Secretary Theresa May

Schedule 3, page 56, line 6, after ‘Ireland’ insert ‘—

- (i) Chapter 4 of Part 2 of the Housing (Northern Ireland) Order 1981 (S.I. 1981/156 (N.I. 3)), or
- (ii) ’.

18

Secretary Theresa May

Schedule 3, page 56, leave out lines 11 to 21 and insert—

- ‘1A (1) This paragraph applies for the purposes of paragraph 1.
- (2) An allocation of housing accommodation by a local housing authority in England to a person who is already—

19

**Immigration Bill, *continued***

- (a) a secure or introductory tenant, or
  - (b) an assured tenant of housing accommodation held by a private registered provider of social housing or a registered social landlord,
- is to be treated as an allocation of housing accommodation by virtue of Part 6 of the Housing Act 1996 (and accordingly section 159(4A) of that Act is to be ignored).
- (3) An allocation of housing accommodation that falls within a case specified in, or prescribed under, section 160 of the Housing Act 1996 (cases where provisions about allocation under Part 6 of that Act do not apply) is to be treated as an allocation of housing accommodation by virtue of Part 6 of that Act (and accordingly that section is to be ignored).
  - (4) An allocation of housing accommodation by virtue of Part 1 of the Housing (Scotland) Act 1987 is to be treated as provided by virtue of a relevant provision only if it is provided by a local authority within the meaning of that Act (or in pursuance of arrangements made under or for the purposes of that Part with a local authority).
  - (5) Accommodation provided to a person in Northern Ireland by a registered housing association is to be treated as provided to the person by virtue of a relevant provision.
  - (6) Terms used in sub-paragraphs (2) and (3) have the same meanings as in Part 6 of the Housing Act 1996.
  - (7) In sub-paragraph (5) “registered housing association” means a housing association, within the meaning of Part 2 of the Housing (Northern Ireland) Order 1992 (S.I. 1992/1725 (N.I. 15)), that is registered in the register of housing associations maintained under Article 14 of that Order.’.

Secretary Theresa May

Schedule 3, page 57, line 22, after ‘hostel’ insert ‘or refuge’.

20

Secretary Theresa May

Schedule 3, page 57, line 36, at end insert—

- (i) “Refuge” means a building which satisfies the second condition in sub-paragraph (4) and is used wholly or mainly for providing accommodation to persons who have been subject to any incident, or pattern of incidents, of—
  - (a) controlling, coercive or threatening behaviour,
  - (b) physical violence,
  - (c) abuse of any other description (whether physical or mental in nature), or
  - (d) threats of any such violence or abuse.’.

21

Paul Blomfield

Schedule 3, page 59, line 4, leave out from ‘building’ to end of line 26 and insert ‘between—

- (a) a landlord, as defined in Clause 15(3); and
- (b) one of the following—
  - (i) an applicant for a Tier 4 visa holding a certificate of acceptance of studies issued by an authority-funded educational institution; or
  - (ii) an applicant for Student Visitor Visas for a period longer than six months.’.

71



**Immigration Bill, *continued***

Secretary Theresa May 22  
 Schedule 3, page 59, line 44, at end insert—  
 ‘() “Building” includes a part of a building.’.

Secretary Theresa May 28  
 Schedule 4, page 61, leave out line 9.

Secretary Theresa May 29  
 Schedule 4, page 61, leave out line 12.

Secretary Theresa May 30  
 Schedule 4, page 61, line 22, at end insert—  
 ‘() But this section does not apply if section 39A applies to the proposed marriage.’.

Secretary Theresa May 31  
 Schedule 4, page 61, line 33, leave out from beginning to end of line 15 on page 62  
 and insert—  
 ‘(6) If the notice contains the statement referred to in the first column of an entry in  
 this table, the notice must be accompanied by the information and photographs  
 referred to in the second column of that entry (insofar as that entry is applicable  
 to the parties to the proposed marriage)—

<i>If the notice includes this statement...</i>	<i>...the notice must be accompanied by...</i>
Statement A (in respect of one or both of the parties to the proposed marriage)	For each party in respect of whom statement A is made, details of the particular immigration status which that party has
Statement B (in respect of one or both of the parties to the proposed marriage)	1. For each party, a specified photograph of that party 2. For each party in respect of whom statement B is made, details of the relevant visa which that party has

Immigration Bill, *continued*

<i>If the notice includes this statement...</i>	<i>...the notice must be accompanied by...</i>
Statement C (in respect of one or both of the parties to the proposed marriage)	<ol style="list-style-type: none"> <li>1. For each party, a specified photograph of that party</li> <li>2. For each party, the usual address of that party</li> <li>3. For each party whose usual address is outside the United Kingdom, an address in the United Kingdom at which that party can be contacted by post</li> <li>4. For each party who has previously used any name or names other than the person's name stated in the notice in accordance with section 27(3), a statement of the other name or names</li> <li>5. For each party who currently uses, or has previously used, an alias or aliases, a statement of the alias or aliases</li> </ol>

- (6A) If the notice contains more than one of statements A, B and C, subsection (6) must be complied with in relation to each of those statements; but where the notice contains statements B and C, subsection (6) does not require the notice to be accompanied by more than one specified photograph of each party.’.

Secretary Theresa May

Schedule 4, page 62, line 27, leave out sub-paragraph (8).

32

Secretary Theresa May

Schedule 4, page 64, line 11, leave out from beginning to “‘specified’ in line 21 and insert—

33

- (a) photographs and addresses of the kinds referred to in paragraphs 1 and 2 in the relevant entry in section 27E(6);
- (b) as respects the usual address of each party that is provided in accordance with paragraph (a), specified evidence that the address provided is that party's usual address; and
- (c) addresses, names and aliases of the kinds referred to in paragraphs 3 to 5 in the relevant entry in section 27E(6) (insofar as those paragraphs are applicable to the parties to the proposed marriage).

(7) In this section—

“relevant entry in section 27E(6)” means the second column of the last entry in the table in section 27E(6);’.

Secretary Theresa May

Schedule 4, page 69, leave out lines 22 and 23.

34

Secretary Theresa May

Schedule 4, page 70, line 33, after ‘application’ insert ‘to the applicant and’.

35

**Immigration Bill, continued**

Secretary Theresa May

36

Schedule 4, page 72, line 34, at end insert—

*‘One party resident in Scotland*

In section 37 (one party resident in Scotland), in subsection (1)(b), for the words from “with” to “Act” (in the first place) insert “with section 27 and the other provisions of this Act”.

*Proof of certain matters not necessary to validity of marriages*

In section 48 (proof of certain matters not necessary to validity of marriages), in subsection (1)—

- (a) omit the word “or” at the end of paragraph (e) (inserted by paragraph 14(c) of Schedule 7 to the Marriage (Same Sex Couples) Act 2013);
- (b) at the end of paragraph (ea) (inserted by that provision of the Marriage (Same Sex Couples) Act 2013) insert “or
  - (eb) that, in the case of a marriage to which Schedule 3A applied, any of the events listed in paragraph 2(2) to (6) of that Schedule occurred.”.

Secretary Theresa May

37

Schedule 4, page 73, line 28, at end insert—

( ) But this section does not apply if Schedule 3 applies to the proposed civil partnership.’.

Secretary Theresa May

38

Schedule 4, page 74, leave out lines 1 to 25 and insert—

(6) If the notice contains the statement referred to in the first column of an entry in this table, the notice must be accompanied by the information and photographs referred to in the second column of that entry (insofar as that entry is applicable to the parties to the proposed civil partnership)—

<i>If the notice includes this statement...</i>	<i>...the notice must be accompanied by...</i>
Statement A (in respect of one or both of the parties to the proposed civil partnership)	For each party in respect of whom statement A is made, details of the particular immigration status which that party has
Statement B (in respect of one or both of the parties to the proposed civil partnership)	1. For each party, a specified photograph of that party 2. For each party in respect of whom statement B is made, details of the relevant visa which that party has

Immigration Bill, *continued*

<i>If the notice includes this statement...</i>	<i>...the notice must be accompanied by...</i>
Statement C (in respect of one or both of the parties to the proposed civil partnership)	<ol style="list-style-type: none"> <li>1. For each party, a specified photograph of that party</li> <li>2. For each party, the usual address of that party</li> <li>3. For each party whose usual address is outside the United Kingdom, an address in the United Kingdom at which that party can be contacted by post</li> <li>4. For each party who has previously used any name or names other than the person's name stated in the notice of proposed civil partnership in accordance with regulations under section 8(2), a statement of the other name or names</li> <li>5. For each party who currently uses, or has previously used, an alias or aliases, a statement of the alias or aliases</li> </ol>

- (6A) If the notice contains more than one of statements A, B and C, subsection (6) must be complied with in relation to each of those statements; but where the notice contains statements B and C, subsection (6) does not require the notice to be accompanied by more than one specified photograph of each party.’.

Secretary Theresa May

39

Schedule 4, page 74, line 37, leave out sub-paragraph (8).

Secretary Theresa May

40

Schedule 4, page 76, line 7, leave out from beginning to “‘specified’ in line 18 and insert—

- (a) photographs and addresses of the kinds referred to in paragraphs 1 and 2 in the relevant entry in section 8A(6);
- (b) as respects the usual address of each party that is provided in accordance with paragraph (a), specified evidence that the address provided is that party's usual address; and
- (c) addresses, names and aliases of the kinds referred to in paragraphs 3 to 5 in the relevant entry in section 8A(6) (insofar as those paragraphs are applicable to the parties to the proposed civil partnership).

(7) In this section—

“relevant entry in section 8A(6)” means the second column of the last entry in the table in section 8A(6);’.

Secretary Theresa May

41

Schedule 4, page 78, line 34, at end insert—

- ‘(a) the applicant.’.

Secretary Theresa May

42

Schedule 4, page 80, line 24, leave out ‘proposed’ and insert ‘referred’.

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**Immigration Bill, continued**

Secretary Theresa May

43

Schedule 4, page 84, line 6, at end insert—

*‘Proof of certain matters not necessary to validity of civil partnership*

In section 52 (proof of certain matters not necessary to validity of civil partnership), in subsection (1)—

- (a) omit the word “or” at the end of paragraph (a);
- (b) at the end of paragraph (aa) insert “or
  - (ab) that, in the case of a civil partnership to which Schedule 3A applied, any of the events listed in paragraph 2(2) to (6) of that Schedule occurred.”.

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Secretary Theresa May

44

Schedule 5, page 85, line 41, leave out sub-paragraph (2).

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Secretary Theresa May

8

Schedule 8, page 100, line 6, at end insert—

In Schedule 2 (administrative provisions as to control on entry etc), in paragraph 2A(9), for “(immigration and asylum appeals)” substitute “(appeals in respect of protection and human rights claims)”.

In Schedule 3 (supplementary provisions as to deportation), in paragraph 3, for the words from “of the kind” to “order)” substitute “that relates to a deportation order”.

Secretary Theresa May

9

Schedule 8, page 100, line 13, leave out paragraph 15 and insert—

The Immigration and Asylum Act 1999 is amended as follows.

Section 23 (monitoring refusals of entry clearance) is repealed.

- (1) Section 141 (fingerprinting) is amended as follows.
- (2) In subsection (7)—
  - (a) for paragraph (c) substitute—
    - “(c) any person (“C”) in respect of whom the Secretary of State has decided—
      - (i) to make a deportation order, or
      - (ii) that section 32(5) of the UK Borders Act 2007 (automatic deportation of foreign criminals) applies;
    - (ca) any person (“CA”) who requires leave to enter or remain in the United Kingdom but does not have it;”;
  - (b) in paragraph (f), for the words from “paragraph (c)” to the end substitute “paragraph (c)(ii)”.

**Immigration Bill, continued**

- (3) In subsection (8), for paragraph (c) substitute—  
 “(c) for C, when he is notified of the decision mentioned in subsection (7)(c);  
 (ca) for CA, when he becomes a person to whom this section applies;”.
- (4) In subsection (9)—  
 (a) in paragraph (b), after “C” insert “, CA”;  
 (b) in paragraph (c)(i) for “relevant immigration decision” substitute “decision mentioned in subsection (7)(c)”;  
 (c) after paragraph (c) insert—  
 “(ca) for CA, when he no longer requires leave to enter or remain in the United Kingdom;”;
- (5) Omit subsection (16).’.

Secretary Theresa May

10

Schedule 8, page 103, line 1, at end insert—

- ( ) in the definition of “human rights claim”—  
 (i) after “Kingdom” insert “or to refuse him entry into the United Kingdom”;  
 (ii) omit “as being incompatible with his Convention rights”;’.

Secretary Theresa May

11

Schedule 8, page 104, line 16, at end insert—

*‘Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c. 19)*

- (1) Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (removal of asylum seeker to safe third country) is amended as follows.
- (2) In paragraph 1, at the end insert—  
 “(3) Section 92 of the Nationality, Immigration and Asylum Act 2002 makes further provision about the place from which an appeal relating to an asylum or human rights claim may be brought or continued.”
- (3) In paragraph 5—  
 (a) omit sub-paragraph (2);  
 (b) in sub-paragraph (3), for the words from “by virtue of” to “rights)” substitute “from within the United Kingdom”;  
 (c) in sub-paragraph (4), for “by virtue of section 92(4)(a) of that Act” substitute “from within the United Kingdom”.
- (4) In paragraph 10—  
 (a) omit sub-paragraph (2);  
 (b) in sub-paragraph (3), for the words from “by virtue of” to “rights)” substitute “from within the United Kingdom”;  
 (c) in sub-paragraph (4), for “by virtue of section 92(4)(a) of that Act” substitute “from within the United Kingdom”.
- (5) In paragraph 15—  
 (a) omit sub-paragraph (2);  
 (b) in sub-paragraph (3), for the words from “by virtue of” to “rights)” substitute “from within the United Kingdom”;

**Immigration Bill, *continued***

- (c) in sub-paragraph (4), for “by virtue of section 92(4)(a) of that Act” substitute “from within the United Kingdom”.
- (6) In paragraph 19—
  - (a) omit paragraph (a);
  - (b) in paragraph (b), for the words from “by virtue of” to “rights)” substitute “from within the United Kingdom”;
  - (c) in paragraph (c), for “by virtue of section 92(4)(a) of that Act” substitute “from within the United Kingdom”.

Secretary Theresa May

12

Schedule 8, page 104, line 18, at end insert—

- (i) In section 12(3) (new definition of human rights claims), in paragraph (a) of the definition of “human rights claim”—
  - (a) after “Kingdom” insert “or to refuse him entry into the United Kingdom”;
  - (b) omit “as being incompatible with his Convention rights”.

Secretary Theresa May

13

Schedule 8, page 104, line 29, at end insert—

*‘UK Borders Act 2007 (c. 30)*

In section 17 of the UK Borders Act 2007 (support for failed asylum-seekers), in subsection (2)—

- (a) in paragraph (a), omit “against an immigration decision”;
- (b) in paragraph (b), omit “against an immigration decision”.

Secretary Theresa May

14

Schedule 8, page 104, line 42, at end insert—

- (i) In section 2B (appeal to SIAC against deprivation of citizenship), omit the words from “(and” to the end.

Secretary Theresa May

15

Schedule 8, page 105, line 15, column 2, at beginning insert—

Section 15(2), (3) and (5).

Secretary Theresa May

16

Schedule 8, page 105, line 27, at end insert—

Borders, Citizenship and Immigration Act 2009 | Section 51(3).

Secretary Theresa May

54

Schedule 8, page 109, line 1, leave out from beginning to end of line 5.

**Immigration Bill, *continued***

Secretary Theresa May

That paragraph 44 of Schedule 8 be transferred to line 11 on page 100.

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## 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 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.
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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 27 January 2014:*  
Amendment 67

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