



# House of Commons

## NOTICES OF AMENDMENTS

given on

**Wednesday 22 January 2014**

*For other Amendment(s) see the following page(s) of Supplement to Votes:  
1289, 1305, 1321, 1343 and 1355*

## CONSIDERATION OF BILL

### IMMIGRATION BILL, AS AMENDED

*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  
Mr Mark Spencer  
Mr David Davis  
Mr Adam Holloway  
Gordon Henderson  
Richard Drax  
Mark Field  
Sammy Wilson  
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  
Chris Kelly  
Oliver Colvile  
Angie Bray  
Mr Brian Binley  
Simon Reeve  
Dr William McCrea  
Chris Heaton-Harris  
Christopher Pincher  
Mr Graham Stuart  
James Duddridge

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 Nigel Dodds  
Jacob Rees-Mogg  
Mr Dominic Raab  
Mr Ian Liddell-Grainger  
Nadine Dorries  
David Simpson  
Caroline Dinenage  
Jesse Norman  
Jim Shannon  
Tim Loughton

To move the following Clause:—

NC1

**Immigration Bill**, *continued*

‘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

(a)

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

*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

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).’.

*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

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.
- (2) The Secretary of State must produce an EU immigration report in relation to the assessment period.

**Immigration Bill, *continued***

- (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.’.

*Interpretation of sections 1 and 2*

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

Henry Smith

**NC6**

To move the following Clause:—

- ‘(1) This section applies for the purposes of sections [1] and [2] (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 meanings given—
  - “assessment” means an assessment under section [1];
  - “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;
 “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;

**Immigration Bill**, *continued*

- (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.’

*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

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—
- (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.’

**Immigration Bill, continued**

*Duties when conducting accession negotiations*

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

Henry Smith

**NC8**

To move the following Clause:—

- ‘(1) This section applies if the Secretary of State makes an assessment under section [1] 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.’

*Duties before ratification of accession treaties*

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

Henry Smith

**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).

**Immigration Bill**, *continued*

- (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.’.

*Interpretation of sections 1 to 3*

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

Henry Smith

**NC10**

To move the following Clause:—

- (1) This section applies for the purposes of sections 1 to 3 (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 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;

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**Immigration Bill, *continued***

“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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