

Benefits and Public Services (Restriction) Bill

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Make provision to restrict the entitlement of non-UK citizens to publicly-funded benefits and services; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Declaration of nationality

(1) From the relevant date, no national insurance number may be issued unless the applicant provides a declaration of nationality.

(2) From the relevant date, no application may be made for—

(a) a publicly-funded benefit,

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(b) access to publicly-funded services,

unless the applicant provides a declaration of nationality.

(3) In this section—

“a declaration of nationality” means a statement as the nationality of the applicant;

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“the relevant date” means the date on which this Act comes into force.

2 Benefit entitlement for certain non-UK dependants of UK citizens

Notwithstanding the provisions of the European Communities Act 1972, no non-UK citizen who is a national of a member country of the European Union or the European Economic Area shall be eligible for housing benefit or council tax benefit in England and Wales unless the benefit entitlement arises by reason of having the status of a spouse or dependant of a UK citizen.

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3 Amount of benefit

Notwithstanding the provisions of the European Communities Act 1972, no UK publicly-funded benefit shall be paid to a citizen of another country, whether or not that country is a member of the European Union or the European Economic Area, at a rate which exceeds in cash terms the equivalent

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benefit which would be payable to such a person if that person were resident in the country of his or her nationality.

4 Provision of services

Notwithstanding the provisions of the European Communities Act 1972, no UK publicly-funded service shall be provided to a citizen of another country, whether or not that country is a member of the European Union or the European Economic Area, unless the equivalent service would be provided to such a person if that person were resident in the country of his or her nationality. 5

5 Claimant's contribution to benefits and public services 10

(1) Notwithstanding the provisions of the European Communities Act 1972, no UK publicly-funded –

(a) benefit shall be paid, or

(b) service shall be provided,

to a citizen of another country, whether or not that country is a member of the European Union or the European Economic Area, unless the entitlement to that benefit or service arises from an insurance-based contribution which the claimant has made and the conditions in subsections (2) and (3) are satisfied. 15

(2) The first condition is that the relevant contributions have been in payment for at least two years. 20

(3) The second condition is that, in the case of a publicly-funded benefit, no period of payment of such benefit shall exceed six months in any two years.

6 Information

From the date of the coming into force of this Act, it shall be the duty of the Secretary of State to collect and publish information about the number of non-UK citizens from the European Union and the European Economic Area in receipt of taxpayer-funded benefits and the cost of such benefits. 25

7 Extent, commencement and short title

(1) This Act extends to England and Wales, Scotland and Northern Ireland.

(2) The provisions of this Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed. 30

(3) This Act may be cited as the Benefits and Public Services (Restriction) Act 2018.

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To make provision to restrict the entitlement of non-UK citizens to publicly-funded benefits and services; and for connected purposes.

*Presented by Mr Christopher Chope
supported by Mr Peter Bone,
Mr Ranil Jayawardena,
Martin Vickers,
Philip Davies,
and Sir Edward Leigh.*

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to be Printed, 5th September 2017.*

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