EUROPEAN UNION (WITHDRAWAL AGREEMENT) BILL

[FIRST DAY]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.
Agreed to on division: agreed following a vote.
Negatived: rejected without a vote.
Negatived on division: rejected following a vote.
Not called: debated in a group of amendments, but not put to a decision.
Not moved: not debated or put to a decision.
Question proposed: debate underway but not concluded.
Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.
Not selected: not chosen for debate by the Chair.

CLAUSES 1 TO 6; NEW CLAUSES RELATING TO PART 1 OR 2; NEW SCHEDULES RELATING TO PART 1 OR 2

Clause 1 agreed to.

Sir Jeffrey M Donaldson
Sammy Wilson
Mr Gregory Campbell
Jim Shannon
Ian Paisley
Gavin Robinson
Paul Girvan
Carla Lockhart

Not selected 25

Clause 5, page 8, line 33, at end insert—
"(6) It shall be an objective of the Government, in accordance with Article 13 (8) of the Protocol on Ireland/Northern Ireland, to reach agreement on superseding the provisions of the Protocol in every respect as soon as practicable."

Clauses 2 to 6 agreed to.

Jeremy Corbyn
Keir Starmer
Paul Blomfield
Thangam Debbonaire
Valerie Vaz
Mr Nicholas Brown

Nick Thomas-Symonds    Kerry McCarthy    Helen Hayes
Caroline Lucas

Not called    NC4

To move the following Clause—

"Extension of the implementation period"

After section 15 of the European Union (Withdrawal) Act 2018 (publication of and rules of evidence) insert—

"15A Extension of the implementation period"

“(1) A Minister of the Crown must seek to secure agreement in the Joint Committee to a single decision to extend the implementation period by two years, in accordance with Article 132 of the Withdrawal Agreement unless one or more condition in subsection (2) is met.

(2) Those conditions are—
   (a) it is before 15 June 2020;
   (b) an agreement on the future trade relationship has been concluded;
   (c) the House of Commons has passed a motion in the form set out in subsection (3) and the House of Lords has considered a motion to take note of the Government’s intention not to request an extension.

(3) The form of the motion mentioned in subsection (2)(c) is “That this House approves of the Government’s decision not to apply for an extension to the period for implementing the agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU”.

(4) If the Joint Committee does not agree the extension specified in subsection (1) but EU representatives on the Joint Committee indicate that they would agree an extension for a shorter period, a Minister of the Crown must move a motion in the House of Commons to agree the shorter period proposed, and if that motion is agreed, a Minister of the Crown must agree that shorter extension in the Joint Committee.

(5) Any Minister of the Crown who attends the Joint Committee may seek agreement to terminate the implementation period if a final agreement on
Mr Mark Francois  
Mr Nigel Evans  
Sir David Amess  
Sir Jeffrey M Donaldson  
Mr Laurence Robertson  
Andrew Rosindell  

Henry Smith  
Sir Desmond Swayne  
Bob Blackman  
Jonathan Gullis  
Dr Jamie Wallis  
Mrs Pauline Latham  
Lucy Allan  
Dehenna Davison  
Craig Whittaker  
Gareth Johnson  
Robin Millar  
Steve Double  
Mr David Jones  

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| Mr John Baron | Andrew Rosindell | Roberta  
 Sir Edward Davey  
 Mr Alistair Carmichael  
 Daisy Cooper  
 Tim Farron  
 Christine Jardine  
 Sarah Olney  

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To move the following Clause—

**“Exit day chimes of Big Ben**

(1) The United Kingdom leaves the European Union, in accordance with Article 50 (2) of the Treaty on European Union, at 11.00pm Greenwich Mean Time on Friday 31 January 2020.

(2) The Speaker of the House of Commons and the Corporate Officer of the House of Commons, together with any other relevant parliamentary authorities, must make arrangements for the occasion in subsection (1) to be marked by the sounding of the hourly chimes including eleven strikes of the principal bell (Big Ben) of the Great Clock in the Elizabeth Tower of the Houses of Parliament at 11.00pm Greenwich Mean Time on Friday 31 January 2020.”
“Extension of implementation period

After section 15 of the European Union (Withdrawal) Act 2018 (publication and rules of evidence) insert—

“15A Extension of implementation period

(1) If by 1 June 2020, agreements on both of the matters specified in subsection (2) have not been concluded, any Minister of the Crown who attends the Joint Committee must seek to secure agreement in the Joint Committee to a single decision to extend the implementation period by two years, in accordance with Article 132 of the Withdrawal Agreement.

(2) The specified matters for the purposes of subsection (1) are—

(a) the future trade relationship between the United Kingdom and the EU.

(b) a security partnership including law enforcement and judicial cooperation in criminal matters.

(3) If the Joint Committee does not agree the extension specified in subsection (1) but EU representatives on the Joint Committee indicate that they would agree an extension for a shorter period, a Minister of the Crown must move a motion in the House of Commons to agree the shorter period proposed, and if that motion is agreed, a Minister of the Crown must agree that shorter extension in the Joint Committee.

(4) Any Minister of the Crown who attends the Joint Committee may seek agreement to terminate the implementation period if final agreements on both of the matters specified in subsection (2) are ratified before the end of the implementation period.”"
Committee of the whole House Proceedings: 7 January 2020

European Union (Withdrawal Agreement) Bill, continued

Stuart C McDonald
Ian Blackford
Dr Philippa Whitford
Joanna Cherry
Patrick Grady

Clause 7, page 10, line 41, at end insert—

“(3A) Regulations made under this section shall apply to—

(a) the rights of all persons eligible for leave to enter or remain in the United Kingdom by virtue of—

(i) the withdrawal agreement, or

(ii) residence scheme immigration rules (see section 17) as in force on 21 December 2019, and

(b) such other persons as Ministers consider appropriate.

(3B) The residence scheme immigration rules (see section 17) may not be amended so as to reduce the range of persons eligible for leave to enter or remain in the United Kingdom by virtue of those rules (other than by primary legislation), but other persons may be added as Ministers consider appropriate.”

Sir Edward Davey
Mr Alistair Carmichael
Daisy Cooper
Tim Farron
Christine Jardine
Sarah Olney

Munira Wilson Wendy Chamberlain Wera Hobhouse
Layla Moran Jamie Stone Caroline Lucas

Clause 7, page 10, line 41, at end insert—

“(3A) Regulations made under this section may not prevent EEA and Swiss nationals, or their family members, who are resident in the United Kingdom on or prior to 31 December 2020 applying for settled status at any time.”

Clause agreed to.

Jeremy Corbyn
Keir Starmer
Paul Blomfield
Thangam Debbonaire
Valerie Vaz
Mr Nicholas Brown

Nick Thomas-Symonds Stuart C McDonald Debbie Abrahams
Kerry McCarthy Helen Hayes Caroline Lucas
Preet Kaur Gill

Clause 11, page 14, line 2, leave out subsection (1) and insert—

“(1) A person may appeal against a citizens’ rights immigration decision to the First-tier Tribunal.”
Clause 11, page 14, line 24, leave out subsections (3) and (4) and insert—

“(3) Subject to subsection (4), while an appeal is pending, the person concerned shall be deemed to have all the rights associated with indefinite leave to remain under the residence scheme immigration rules, in particular as concerns residence, employment, access to social security benefits and other services.

(4) Subsection (3) does not apply to an appeal against a decision falling within subsection (2)(a) or (c).

(4A) “Pending” shall have the same meaning for the purposes of subsections (3) and (4) as in section 104 of the Nationality, Immigration and Asylum Act 2002.”

Clauses 8 to 14 agreed to.
Committee of the whole House Proceedings: 7 January 2020

European Union (Withdrawal Agreement) Bill, continued

Schedule 1 agreed to.

Clause 15 agreed to.

Stuart C McDonald
Ian Blackford
Dr Philippa Whitford
Joanna Cherry
Patrick Grady

Schedule 2, page 46, line 12, leave out “Secretary of State” and insert “Independent Chief Inspector of Borders and Immigration”

Stuart C McDonald
Ian Blackford
Dr Philippa Whitford
Joanna Cherry
Patrick Grady

Schedule 2, page 46, line 20, leave out “Secretary of State” and insert “Independent Chief Inspector of Borders and Immigration”

Dr Philippa Whitford
Peter Grant

Schedule 2, page 47, line 39, leave out “may” and insert “must”

Dr Philippa Whitford
Peter Grant

Schedule 2, page 47, line 40, leave out sub-sub-paragraph (a)

Jeremy Corbyn
Keir Starmer
Paul Blomfield
Thangam Debbonaire
Valerie Vaz
Mr Nicholas Brown

Nick Thomas-Symonds

Schedule 2, page 59, line 15, leave out paragraphs 39 and 40

Schedule 2 agreed to.

Clause 16 and Clause 17 agreed to.
To move the following Clause—

“Protecting EU Citizens’ Rights

(1) This section applies to—

(a) European Union citizens having the right to reside permanently in the UK according to Article 15 (“Rights of permanent residence”) of the Withdrawal Agreement;

(b) persons to whom the provisions in (a) do not apply but who are eligible for indefinite leave to enter or remain, or limited leave to enter or remain by virtue of residence scheme immigration rules (see section 17).

(2) A person to which this section applies has the rights and obligations provided in Article 12 and Title II Part II ‘Citizens’ Rights’ of the Withdrawal Agreement.

(3) The Secretary of State must by regulations make provision—

(a) implementing article 18(4) of the withdrawal agreement (right of eligible citizens to receive a residence document), including making provision for a physical document providing proof of residence;

(b) implementing article 17(4) of the EEA EFTA separation agreement (right of eligible citizens to receive a residence document) including making provision for a physical document providing proof of residence;

(c) implementing article 16(4) of the Swiss citizens’ rights agreement (right of eligible citizens to receive a residence document) including making provision for a physical document providing proof of residence.

(4) No provision of this or any other enactment, or adopted under this or any other enactment, may be used to require European Union nationals and their family members, or nationals of Iceland, Norway, Liechtenstein and Switzerland and their family members, who reside in the United Kingdom immediately prior to the end of the implementation period, to apply for a new residence status under Article 18(1) of the Withdrawal Agreement, or to introduce a deadline for applications under residence scheme immigration rules or relevant entry clearance rules.

(5) Residence scheme immigration rules and relevant entry clearance immigration rules may not be amended to provide that any person who benefited or is eligible to benefit under those rules on the day on which this Act is passed benefits any less than he benefited or was eligible to benefit on the day on which this Act is passed.”
To move the following Clause—

“Fee levels and exemptions

(1) No person to whom regulations under section 7(1) (as qualified by section 7(2) and 7(3)) apply may be charged a fee to register as a British citizen that is higher than the cost to the Secretary of State of exercising the function of registration.

(2) No child of a person to whom subsection (1) applies may be charged a fee to register as a British citizen if that child is receiving the assistance of a local authority.

(3) No child of a person to whom subsection (1) applies may be charged a fee to register as a British citizen that the child or the child’s parent, guardian or carer is unable to afford.

(4) The Secretary of State must take steps to raise awareness of people to whom this section applies of their rights under the British Nationality Act 1981 to register as British citizens.

(5) A Minister of the Crown may amend, waive or restrict any requirement of any other person to pay a fee to register as a British citizen where the Secretary of State considers it appropriate or necessary to do so in consequence of any discrimination between people of, or children of people of, differing nationality or other status.”

To move the following Clause—

“EU Settlement Scheme: physical documented proof

The Secretary of State must make provision to ensure that EEA and Swiss nationals and their family members who are granted settled or pre-settled status are provided with physical documented proof of that status.”
“Settled status: right to appeal

(1) A person may appeal against a settled status decision to the First-tier Tribunal.

(2) A settled status decision includes a decision—
   (a) to refuse to grant leave to remain under Appendix EU of the Immigration Rules made under section 3(2) of the Immigration Act 1971, or
   (b) to grant limited leave to remain under Appendix EU of the Immigration Rules made under section 3(2) of the Immigration Act 1971 to a person who has applied for indefinite leave to remain under that Appendix.

(3) An appeal against a decision under subsection 2(b) may be brought only on the grounds that the person is entitled to indefinite leave to remain under Appendix EU of the Immigration Rules.

(4) While an appeal under subsection 2(a) is pending, the person concerned shall be deemed to have all the rights associated with indefinite leave to remain under Appendix EU of the Immigration Rules in particular as concerns residence, employment, access to social security benefits and other services.

(5) While an appeal under subsection 2(b) is pending, the limited leave to remain granted under Appendix EU to the Immigration Rules shall continue in force.

(6) “Pending” shall have the same meaning for the purposes of subsections (4) and (5) above as in section 104 of the Nationality, Immigration and Asylum Act 2002.”

[Adjourned until tomorrow.]