



House of Commons

Tuesday 16 June 2020

PUBLIC BILL COMMITTEE PROCEEDINGS

IMMIGRATION AND SOCIAL SECURITY CO-ORDINATION (EU WITHDRAWAL) BILL

[FIFTH AND SIXTH SITTINGS]

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.

Negated: rejected without a vote.

Negated 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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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.

Clause 5 agreed to on division.

Schedule 2 agreed to.

Schedule 3 agreed to.

Clause 6 agreed to.

Immigration and Social Security Co-ordination (EU Withdrawal) Bill, continued

Stuart C McDonald
 Joanna Cherry
 Brendan O'Hara

Negatived on division 17

Clause 7, page 5, line 13, at end insert—

“(1A) Section 1 and Schedule 1 of this Act do not extend to Scotland.”

Clause agreed to.

Karl Turner
 Holly Lynch
 Kate Green

Not selected 19

Clause 8, page 5, line 34, at end insert—

“(1A) Paragraph 1 and paragraph 2(2) of Schedule 1 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 2012 (General Cases) to provide for civil legal services for persons seeking leave to remain in the United Kingdom in cases involving human rights and for persons refused leave to remain to appeal on human rights’ grounds against that refusal, comes into effect.

(1B) For the purpose of section 1A, “human rights claim” means a human rights claim as defined in section 113 of the Nationality, Immigration and Asylum Act 2002.”

Nick Thomas-Symonds
 Mr Nicholas Brown
 Holly Lynch
 Kate Green
 Chris Elmore
 Taiwo Owatemi

Negatived on division 12

Clause 8, page 5, line 40, at end insert—

“(4A) Section 4 and section 7(5) expire on the day after the day specified as the deadline under section 7(1)(a) of the European Union (Withdrawal Agreement) Act 2020.”

Stuart C McDonald
 Joanna Cherry
 Brendan O'Hara

Withdrawn after debate 11

Clause 8, page 5, line 41, leave out subsection (5) and insert—

“(5) This Part of the Act shall not come into effect until a Minister of the Crown has laid a report before each House of Parliament setting out the impact of this Act on faith communities in the UK.

(6) A report under subsection (5) must consider in particular the ability of members and representatives of faith communities from the EEA and Switzerland to enter the UK for purposes related to their faith.

(7) A Minister of the Crown must, not later than six months after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.

Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

- (8) In this section,
“faith communities” means a group of individuals united by a clear structure and system of religious or spiritual beliefs.”

Clause agreed to.

Clause 9 agreed to.

Liz Saville Roberts
Hywel Williams
Ben Lake
Jonathan Edwards
Stuart C McDonald

Withdrawn after debate NC9

To move the following Clause—

“Report on the impact to EEA and Swiss nationals

- (1) This Act shall not come into effect until a Minister of the Crown has laid a report before each House of Parliament setting out the impact of the Act on EEA and Swiss nationals in the UK.
 - (2) A report under subsection (1) must consider—
 - (a) the impact on EEA and Swiss nationals of having no recourse to public funds under Immigration Rules;
 - (b) the impact of NHS charging for EEA and Swiss nationals;
 - (c) the impact of granting citizenship to all EEA and Swiss health and social care workers working in the UK during the Covid-19 pandemic;
 - (d) the impact of amending the Immigration and Nationality (Fees) Regulations 2018 to remove all fees for applications, processes and services for EEA and Swiss nationals; and
 - (e) the merits of the devolution of powers over immigration from the EEA area and Switzerland to (i) Senedd Cymru; (ii) the Scottish Parliament; and (iii) the Northern Ireland Assembly.
 - (3) A Minister of the Crown must, not later than six months after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.
 - (4) In this section, “health and social care workers” includes doctors, nurses, midwives, paramedics, social workers, care workers, and other frontline health and social care staff required to maintain the UK’s health and social care sector.”
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Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

Stuart C McDonald
 Joanna Cherry
 Brendan O'Hara

Not called NC10

To move the following Clause—

“Extension of registration for EU Settlement Scheme

- (1) The EU Settlement Scheme deadline shall be extended by a period of six months unless a motion not to extend the deadline is debated and approved by both Houses of Parliament.
- (2) Any motion not to extend, referred to in subsection (1), must be debated and approved no later than three months before the deadline.
- (3) In this section, “the EU Settlement Scheme Deadline” means the deadline for applying for settled or pre-settled status under the Immigration Rules.”

Stuart C McDonald
 Joanna Cherry
 Brendan O'Hara

Not called NC11

To move the following Clause—

“Application after the EU Settlement Scheme deadline

- (1) An application to the EU Settlement Scheme after the EU settlement scheme deadline must still be decided in accordance with appendix EU of the Immigration Rules, unless reasons of public policy, public security, or public health apply in accordance with Regulation 27 of the Immigration (European Economic Area) Regulations 2016 (as they have effect at the date of application or as they had effect immediately before they were revoked).
- (2) In this section—
 - “an application to the EU Settlement Scheme” means an application for pre-settled or settled status under appendix EU of the Immigration Rules;
 - “the EU Settlement Scheme Deadline” means the deadline for applying for settled or pre-settled status under appendix EU of the Immigration Rules.”

Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

Stuart C McDonald
Joanna Cherry
Tim Farron
Brendan O'Hara

Negated on division **NC12**

To move the following Clause—

“Immigration health charge

No immigration health charge introduced under section 38 of the Immigration Act 2014 may be imposed on an individual who is an EEA or Swiss national.”

Stuart C McDonald
Joanna Cherry
Brendan O'Hara

Negated on division **NC13**

To move the following Clause—

“Registration as a British citizen by EEA and Swiss nationals

- (1) No person, who has at any time exercised any of the rights for which Schedule 1 makes provision to end, 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 who has at any time exercised any of the rights for which Schedule 1 makes provision to end 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 who has at any time exercised any of the rights for which Schedule 1 makes provision to end 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 subsection (1) applies of their rights under the British Nationality Act 1981 to register as British citizens.”
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Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

Stuart C McDonald
 Joanna Cherry
 Brendan O'Hara

Negated on division NC14

To move the following Clause—

“Legal Aid for EEA and Swiss nationals

- (1) The Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended in accordance with subsection (2).
- (2) In Schedule 1, paragraph 30, after sub-paragraph (d), insert—
 - “(e) the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020.””

Stuart C McDonald
 Joanna Cherry
 Brendan O'Hara

Withdrawn after debate NC15

To move the following Clause—

“Illegal working: EEA and Swiss nationals

Section 24B of the Immigration Act 1971 does not apply to any work undertaken by an EEA or Swiss nationals.”

Stuart C McDonald
 Joanna Cherry
 Brendan O'Hara

Negated on division NC16

To move the following Clause—

“Immigration Rules Advisory Committee for Immigration Rules for EEA and Swiss nationals

- (1) The Secretary of State must establish an Immigration Rules Advisory Committee to consider relevant Immigration Rules.
- (2) In this section “relevant Immigration Rules” mean Immigration Rules that apply to persons whose right of free movement is ended by section 1 and schedule 1 of this Act.
- (3) The function of the Immigration Rules Advisory Committee shall be to give advice and assistance to the Secretary of State in connection with the discharge of his functions under this Act and in particular in relation to the making of relevant Immigration Rules.
- (4) The constitution of the Immigration Rules Advisory Committee shall be set out in regulations.
- (5) The Secretary of State shall furnish the Immigration Rules Advisory Committee with such information as the Committee may reasonably require for the proper discharge of its functions.

Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

- (6) No relevant Immigration Rules may be made by the Secretary of State, until the Immigration Rules Advisory Committee is established.”

Yvette Cooper
 Caroline Nokes
 Mr Clive Betts
 Tim Loughton
 Stuart C McDonald
 Dame Diana Johnson

Andrew Gwynne

Ms Diane Abbott

Not selected NC17

To move the following Clause—

“Visa extensions for NHS, health and care staff during Covid-19 pandemic

- (1) Where—
- (a) a person (“P”) meets either the condition in subsection (2) or the condition in subsection (3); and
 - (b) P’s leave in the United Kingdom would otherwise expire prior to 1 January 2021
- then P’s leave is extended until 12 months after the date on which P’s leave would otherwise expire without any further fee or charge being incurred.
- (2) The condition in this subsection is that the individual is a health and care professional, or a social worker, or employed in another frontline health and care role.
- (3) The condition in this subsection is that the individual is a family member of a person meeting the condition in subsection (2).
- (4) In this section—
- “health and care professional” is a person within the class of persons who are nurses or other health and care professionals, or medical professionals within the meaning of the regulations referred to in sections 2 to 5 of the Coronavirus Act 2020;
- “social worker” is a person within the class of persons who are social workers within the meaning of the regulations referred to in sections 6 to 7 of the Coronavirus Act 2020;
- “employed in another frontline health and care role” means a person employed in a role conferring eligibility for the NHS and Social Care Coronavirus Life Assurance Scheme 2020.”
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Immigration and Social Security Co-ordination (EU Withdrawal) Bill, continued

Nick Thomas-Symonds
 Mr Nicholas Brown
 Holly Lynch
 Kate Green
 Chris Elmore
 Taiwo Owatemi

Dame Diana Johnson

Stuart C McDonald

Withdrawn after debate NC19

To move the following Clause—

“EU Settlement Scheme: physical documented proof

- (1) The Secretary of State must make provision to ensure that EEA and Swiss nationals and their families who are granted settled status and pre-settled status receive proof of that status.
- (2) The Secretary of State must issue a paper certificate confirming pre-settled status or settled status.
- (3) No fee may be charged for issuing a paper certificate under this section.”

Nick Thomas-Symonds
 Mr Nicholas Brown
 Holly Lynch
 Kate Green
 Chris Elmore
 Taiwo Owatemi

Dame Diana Johnson

Withdrawn after debate NC21

To move the following Clause—

“Annual review: Impact on health care and social care sector

- (1) The Secretary of State must commission an annual report from the Migration Advisory Committee on the impact of the provisions of this Act on the health care and social care sector in the UK.
- (2) In undertaking the evaluation, the Secretary of State must consult—
 - (a) the relevant Scottish Ministers;
 - (b) the relevant Welsh Ministers; and
 - (c) the relevant Northern Ireland Ministers
- (3) The report must be laid before each House of Parliament as soon as possible after it has been completed.
- (4) A Minister of the Crown must, not later than three months after the report has been laid before Parliament, make a motion in the House of Commons in relation to the report.”

Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

Nick Thomas-Symonds
Mr Nicholas Brown
Holly Lynch
Kate Green
Chris Elmore
Taiwo Owatemi

Dame Diana Johnson

Withdrawn after debate NC22

To move the following Clause—

“Tier 2 Immigration skills charge

No Tier 2 Immigrations skills charge will be payable on an individual who is an EEA or Swiss national and is coming to the UK to work for the NHS.”

[Adjourned until Thursday at 11.30 am