



House of Commons

Tuesday 30 June 2020

REPORT STAGE PROCEEDINGS

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

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

Brendan O'Hara
Neil Gray
Kirsten Oswald
Chris Stephens
Amy Callaghan
Dr Philippa Whitford

Carol Monaghan
Gavin Newlands
Alan Brown
Ben Lake
Daisy Cooper
Marion Fellows

David Linden
Stuart C McDonald
Liz Saville Roberts
Sarah Olney
Caroline Lucas
Christine Jardine

Anne McLaughlin
Alison Thewliss
Hywel Williams
Angela Crawley
Joanna Cherry
Stephen Farry

Negated on division **NC1**

To move the following Clause—

Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued***“Duty to commission an independent evaluation: health and social care sectors**

- (1) The Secretary of State shall commission an independent evaluation of the matters under subsection (5) and shall lay the report of the evaluation before each House of Parliament.
 - (2) The Secretary of State must appoint an independent person to undertake the evaluation (“the independent evaluator”).
 - (3) In this section, “independent person” means a person who is independent of Her Majesty’s Government.
 - (4) No person may be appointed under subsection (2) unless their appointment has been consented to by—
 - (a) the relevant Scottish Ministers;
 - (b) the relevant Welsh Ministers; and
 - (c) the relevant Northern Ireland Ministers.
 - (5) The evaluation under subsection (1) shall consider an assessment of the effects of this Act on—
 - (a) the health and social care workforce;
 - (b) the efficiency and effectiveness of the health and social care sectors;
 - (c) the adequacy of public funding for the health and social care sectors; and
 - (d) such other relevant matters as the independent evaluator sees fit.
 - (6) In undertaking the evaluation, the independent evaluator must consult—
 - (a) the Secretary of State;
 - (b) the relevant Scottish Ministers;
 - (c) the relevant Welsh Ministers;
 - (d) the relevant Northern Ireland Ministers;
 - (e) providers of health and social care services;
 - (f) persons requiring health and social care services;
 - (g) representatives of persons requiring health and social care services; and
 - (h) such other relevant persons as the independent evaluator sees fit.
 - (7) The independent evaluator must prepare a report on the evaluation for the Secretary of State.
 - (8) The Secretary of State must lay that report before Parliament no later than one year after this Act is passed.
 - (9) A Minister of the Crown must, not later than six months after the report has been laid before Parliament, make arrangements for—
 - (a) a motion relating to the report to be debated and voted upon by the House of Commons; and
 - (b) a motion relating to the report to be debated and voted upon by the House of Lords.”
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Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

Tim Loughton
 Yvette Cooper
 Mr Andrew Mitchell
 Ms Harriet Harman
 Kenny MacAskill
 Mrs Emma Lewell-Buck

Debbie Abrahams
 Ruth Jones
 Claire Hanna
 Andrew Gwynne
 Mohammad Yasin
 Stephen Timms

Sally-Ann Hart
 Christine Jardine
 Gavin Newlands
 Steve McCabe
 Simon Fell
 Dr Matthew Offord

Caroline Lucas
 Colum Eastwood
 Stella Creasy
 Sarah Champion
 Carol Monaghan
 Stuart C McDonald
Not called NC2

To move the following Clause—

“Children in care and children entitled to care leaving support: Entitlement to remain

- (1) Any child who has their right of free movement removed by the provisions contained in this Act, and who are in the care of a local authority, or entitled to care leaving support, shall, by virtue of this provision, be deemed to have and be granted automatic Indefinite Leave to Remain within the United Kingdom under the EU Settlement Scheme.
- (2) The Secretary of State must, for purposes of subsection (1), issue guidance to local authorities in England, Scotland, Wales and Northern Ireland setting out their duty to identify the children of EEA and Swiss nationals in their care or entitled to care leaving support.
- (3) Before issuing guidance under this section the Secretary of State must consult—
 - (a) the relevant Scottish Minister;
 - (b) the relevant Welsh Minister; and
 - (c) the relevant Northern Ireland Minister.
- (4) The Secretary of State must make arrangements to ensure that personal data relating to nationality processed by local authorities for purposes of identification under subsection (1) is used solely for this purpose and no further immigration control purpose.
- (5) Any child subject to subsection (1) who is identified and granted status after the deadline of the EU Settlement Scheme (“the Scheme”) will be deemed to have had such status and all rights associated with the status from the time of the Scheme deadline.
- (6) This section comes into force upon the commencement of this Act and remains in effect for 5 years after the deadline of the EU Settlement Scheme.
- (7) For purposes of this section, “children in the care of the local authority” are defined as children receiving care under any of the following—
 - (a) section 20 of the Children Act 1989 (Provision of accommodation for children: general);
 - (b) section 31 of the Children Act 1989 (Care and Supervision);
 - (c) section 75 Social Services and Well-being (Wales) Act 2014 (General duty of local authority to secure sufficient accommodation for looked after children);
 - (d) section 25 of the Children (Scotland) Act 1995 (Provision of accommodation for children);
 - (e) Article 25 of the Children (Northern Ireland) Order 1995 (Interpretation); and

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

- (f) Article 50 Children of the (Northern Ireland) Order 1995 (Care orders and supervision orders).
- (8) For the purposes of this section, “children entitled to care leaving support” means a child receiving support under any of the following—
- (a) paragraph 19B of Schedule 2 Children Act 1989 (Preparation for ceasing to be looked after);
 - (b) s.23A(2) Children Act 1989 (The responsible authority and relevant children);
 - (c) s.23C(1) Children Act 1989 (Continuing functions in respect of former relevant children);
 - (d) section 104 of the Social Services and Well-being (Wales) Act 2014 (Young people entitled to support under sections 105 to 115);
 - (e) sections 29-30 Children (Scotland) Act 1995 (Advice and assistance for young persons formerly looked after by local authorities) as amended by s.66 Children and Young People (Scotland) Act 2014 (Provision of aftercare to young people); and
 - (f) Article 35(2) Children (Northern Ireland) Order 1995 (Persons qualifying for advice and assistance.).”

Mr David Davis
 Stuart C McDonald
 Joanna Cherry
 Caroline Lucas
 Gavin Robinson
 Ms Harriet Harman

Christine Jardine
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 Tim Farron
 Layla Moran
 Mr Andrew Mitchell
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 Stephen Farry
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Sir Edward Davey
 Richard Fuller
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 Mr Alistair Carmichael
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 Tommy Sheppard
 Chris Law

Wendy Chamberlain
 Stella Creasy
 Munira Wilson
 Carol Monaghan
 Jamie Stone
 Henry Smith
 Hywel Williams
 Mr John Baron
 Claire Hanna
 Ms Karen Buck
 Brendan O’Hara
 Dr Philippa Whitford
 John Nicolson
 Alison Thewliss
 Kirsten Oswald
 Neale Hanvey
 Liz Saville Roberts
 Allan Dorans
 Anne McLaughlin

Not selected **NC3**

To move the following Clause—

“Time limit on immigration detention

- (1) For the purpose of this section, a person (“P”) is defined as—

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

- (a) any person who, immediately before the commencement of Schedule 1, was—
 - (i) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
 - (ii) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
 - (iii) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day;
 - (b) and any other person.
 - (2) The Secretary of State may not detain any person (“P”) as defined in subsection (1) under a relevant detention power for a period of more than 28 days from the relevant time.
 - (3) If “P” remains detained under a relevant detention power at the expiry of the period of 28 days then—
 - (a) the Secretary of State shall release P forthwith; and
 - (b) the Secretary of State may not retain P under a relevant detention power thereafter, unless the Secretary of State is satisfied that there has been a material change of circumstances since “P’s” release and that the criteria in section [*Initial detention: criteria and duration*] are met.
 - (4) In this Act, “relevant detention power” means a power to detain under—
 - (a) paragraph 16(2) of Schedule 2 to the Immigration Act 1971 (detention of persons liable to examination or removal);
 - (b) paragraph 2(1), (2) or (3) of Schedule 3 to that Act (detention pending deportation);
 - (c) section 62 of the Nationality, Immigration and Asylum Act 2002 (detention of persons liable to examination or removal); or
 - (d) section 36(1) of UK Borders Act 2007 (detention pending deportation).
 - (5) In this Act, “relevant time” means the time at which “P” is first detained under a relevant detention power.
 - (6) This section does not apply to a person in respect of whom the Secretary of State has certified that the decision to detain is or was taken in the interests of national security.”
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Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

Mr David Davis
 Stuart C McDonald
 Joanna Cherry
 Caroline Lucas
 Gavin Robinson
 Ms Harriet Harman

Christine Jardine	Sir Edward Davey	Wendy Chamberlain
Richard Burgon	Richard Fuller	Stella Creasy
Daisy Cooper	Wera Hobhouse	Munira Wilson
Tim Farron	Mr Steve Baker	Carol Monaghan
Layla Moran	Sarah Olney	Jamie Stone
Mr Andrew Mitchell	Nadia Whittome	Henry Smith
Tim Loughton	Jim Shannon	Hywel Williams
Debbie Abrahams	Yvette Cooper	Mr John Baron
Stephen Farry	Colum Eastwood	Claire Hanna
Sir Peter Bottomley	Andy Slaughter	Ms Karen Buck
Gavin Newlands	Mr Alistair Carmichael	Brendan O'Hara
Owen Thompson	Alyn Smith	Dr Philippa Whitford
Alan Brown	Margaret Ferrier	John Nicolson
Dr Lisa Cameron	Drew Hendry	Alison Thewliss
Kenny MacAskill	Neil Gray	Kirsten Oswald
Hannah Bardell	Angela Crawley	Neale Hanvey
Deidre Brock	Mhairi Black	Liz Saville Roberts
Ben Lake	Tommy Sheppard	Allan Dorans
Angus Brendan MacNeil	Chris Law	Anne McLaughlin
David Linden		

Not selected NC4

To move the following Clause—

“Initial detention: criteria and duration

- (1) The Secretary of State may not detain any person (“P”) to whom section [*Time limit on immigration detention*] applies, under a relevant detention power other than for the purposes of examination, unless the Secretary of State is satisfied that—
 - (a) “P” can be shortly removed from the United Kingdom;
 - (b) detention is strictly necessary to affect the “P”’s deportation or removal from the United Kingdom; and
 - (c) the detention of “P” is in all circumstances proportionate.
- (2) The Secretary of State may not detain any person (“P”) who section [*Time limit on immigration detention*] applies to under a relevant detention power for a period of more than 96 hours from the relevant time, unless—
 - (a) “P” has been refused bail at an initial bail hearing in accordance with subsection (5)(b) of section [*Bail hearings*]; or
 - (b) the Secretary of State has arranged a reference to the Tribunal for consideration of whether to grant immigration bail to “P” in accordance with subsection (2)(c) of clause [*Bail hearings*] and that hearing has not yet taken place.
- (3) Nothing in subsection (2) shall authorise the Secretary of State to detain “P” under a relevant detention power if such detention would, apart from this section, be unlawful.
- (4) In this section, “Tribunal” means the First-Tier Tribunal.

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

- (5) In this section, “relevant detention power” has the meaning given in section [*Time limit on immigration detention*].”

Mr David Davis
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Gavin Robinson
Ms Harriet Harman

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Daisy Cooper	Wera Hobhouse	Munira Wilson
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Mr Andrew Mitchell	Nadia Whittome	Henry Smith
Tim Loughton	Jim Shannon	Hywel Williams
Debbie Abrahams	Mr John Baron	Stephen Farry
Colum Eastwood	Claire Hanna	Sir Peter Bottomley
Andy Slaughter	Ms Karen Buck	Gavin Newlands
Mr Alistair Carmichael	Brendan O’Hara	Owen Thompson
Alyn Smith	Dr Philippa Whitford	Alan Brown
Margaret Ferrier	John Nicolson	Dr Lisa Cameron
Drew Hendry	Alison Thewliss	Kenny MacAskill
Neil Gray	Kirsten Oswald	Hannah Bardell
Angela Crawley	Neale Hanvey	Deidre Brock
Mhairi Black	Liz Saville Roberts	Ben Lake
Tommy Sheppard	Allan Dorans	Angus Brendan MacNeil
Chris Law	Anne McLaughlin	David Linden

Not selected NC5

To move the following Clause—

“Bail hearings

- (1) This section applies to any person (“P”) to whom section [*Time limit on immigration detention*] applies and who is detained under a relevant detention power.
- (2) Before the expiry of a period of 96 hours from the relevant time, the Secretary of State must—
 - (a) release “P”;
 - (b) grant immigration bail to “P” under paragraph 1 of Schedule 10 to the Immigration Act 2016; or
 - (c) arrange a reference to the Tribunal for consideration of whether to grant immigration bail to “P”.
- (3) Subject to subsection (4), when the Secretary of State arranges a reference to the Tribunal under subsection (2)(c), the Tribunal must hold an oral hearing (“an initial bail hearing”) which must commence within 24 hours of the time at which the reference is made.
- (4) If the period of 24 hours in subsection (3) ends on a Saturday, Sunday or Bank holiday, the Tribunal must hold an initial bail hearing on the next working day.

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

- (5) At the initial bail hearing, the Tribunal must—
 - (a) grant immigration bail to “P” under paragraph 1 of Schedule 10 to the Immigration Act 2016; or
 - (b) refuse to grant immigration bail to “P”.
- (6) Subject to subsection (7), the Tribunal must grant immigration bail to “P” at a bail hearing unless it is satisfied that the Secretary of State has established that the criteria in subsection 1 of section [*Initial detention: criteria and duration*] are met and that, in addition—
 - (a) directions have been given for “P’s” removal from the United Kingdom and such removal is to take place within 14 days;
 - (b) a travel document is available for the purposes of “P’s” removal or deportation; and
 - (c) there are no outstanding legal barriers to removal.
- (7) Subsection (6) does not apply if the Tribunal is satisfied that the Secretary of State has established that the criteria in subsection 1 of section [*Initial detention: criteria and duration*] above are met and that there are very exceptional circumstances which justify maintaining detention.
- (8) In subsection (6) above, “a bail hearing” includes—
 - (a) an initial bail hearing under subsection (2) above; and
 - (b) the hearing of an application for immigration bail under paragraph 1(3) of Schedule 10 of the Immigration Act 2016.
- (9) In this section, “Tribunal” means the First-Tier Tribunal.
- (10) The Secretary of State shall provide to “P” or “P’s” legal representative, not more than 24 hours after the relevant time, copies of all documents in the Secretary of State’s possession which are relevant to the decision to detain.
- (11) At the initial bail hearing, the Tribunal shall not consider any documents relied upon by the Secretary of State which were not provided to “P” or “P’s” legal representative in accordance with subsection (10), unless—
 - (a) “P” consents to the documents being considered; or
 - (b) in the opinion of the Tribunal there is a good reason why the documents were not provided to “P” or to “P’s” legal representative in accordance with subsection (10).
- (12) The Immigration Act 2016 is amended as follows—
 - (a) After paragraph 12(4) of schedule 10 insert—
 - “(4A) Sub-paragraph (2) above does not apply if the refusal of bail by the First tier Tribunal took place at an initial bail hearing within the meaning of section [*Bail hearings for EEA and Swiss nationals*] of the Immigration and Social Security Coordination (EU Withdrawal) Act 2019.”.

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

Mr David Davis
 Stuart C McDonald
 Joanna Cherry
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 Gavin Robinson
 Ms Harriet Harman

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 Owen Thompson
 Alan Brown
 Dr Lisa Cameron
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 David Linden
Not selected **NC6**

To move the following Clause—

“Commencement of detention provisions

- (1) Sections [*Time limit on immigration detention*] (save for subsection (1)(b)), [*Initial detention: criteria and duration*] and [*Bail hearings*] come into force six months after the day on which this Act is passed.
- (2) Subsection (1)(b) of section [*Time limit on immigration detention*] comes into force on such day as the Secretary of State may by order appoint.”

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

Mr David Davis
 Stuart C McDonald
 Joanna Cherry
 Caroline Lucas
 Gavin Robinson
 Ms Harriet Harman

Christine Jardine	Sir Edward Davey	Wendy Chamberlain
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Stephen Farry	Colum Eastwood	Claire Hanna
Sir Peter Bottomley	Andy Slaughter	Ms Karen Buck
Gavin Newlands	Mr Alistair Carmichael	Brendan O'Hara
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Dr Lisa Cameron	Drew Hendry	Alison Thewliss
Kenny MacAskill	Neil Gray	Kirsten Oswald
Hannah Bardell	Angela Crawley	Neale Hanvey
Deidre Brock	Mhairi Black	Liz Saville Roberts
Ben Lake	Tommy Sheppard	Allan Dorans
Angus Brendan MacNeil	Chris Law	Anne McLaughlin
David Linden		

Negated on division NC7

To move the following Clause—

“Time limit on immigration detention for EEA and Swiss nationals

- (1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—
 - (a) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
 - (b) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
 - (c) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.
- (2) The Secretary of State may not detain any person (“P”) as defined in subsection(1) under a relevant detention power for a period of more than 28 days from the relevant time.
- (3) If “P” remains detained under a relevant detention power at the expiry of the period of 28 days then—
 - (a) the Secretary of State shall release P forthwith; and
 - (b) the Secretary of State may not re-detain P under a relevant detention power thereafter, unless the Secretary of State is satisfied that there has been a material change of circumstances since “P’s” release and that the criteria in section [Initial detention: criteria and duration (No. 2)] are met.
- (4) In this Act, “relevant detention power” means a power to detain under—
 - (a) paragraph 16(2) of Schedule 2 to the Immigration Act 1971 (detention of persons liable to examination or removal);

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

- (b) paragraph 2(1), (2) or (3) of Schedule 3 to that Act (detention pending deportation);
 - (c) section 62 of the Nationality, Immigration and Asylum Act 2002 (detention of persons liable to examination or removal); or
 - (d) section 36(1) of UK Borders Act 2007 (detention pending deportation).
- (5) In this Act, “relevant time” means the time at which “P” is first detained under a relevant detention power.
- (6) This section does not apply to a person in respect of whom the Secretary of State has certified that the decision to detain is or was taken in the interests of national security.”

Mr David Davis
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 Liz Saville Roberts
 Allan Dorans
 Anne McLaughlin

Not called NC8

To move the following Clause—

“Initial detention: criteria and duration (No. 2)

- (1) The Secretary of State may not detain any person (“P”) to whom section [*Time limit on immigration detention for EEA and Swiss nationals*] applies, under a relevant detention power other than for the purposes of examination, unless the Secretary of State is satisfied that—
- (a) “P” can be shortly removed from the United Kingdom;
 - (b) detention is strictly necessary to affect “P”’s deportation or removal from the United Kingdom; and
 - (c) the detention of “P” is in all circumstances proportionate.

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

- (2) The Secretary of State may not detain any person (“P”) who section [*Time limit on detention for EEA and Swiss nationals*] applies to under a relevant detention power for a period of more than 96 hours from the relevant time, unless—
- (a) “P” has been refused bail at an initial bail hearing in accordance with subsection (5)(b) of section [*Bail hearings (No. 2)*]; or
 - (b) the Secretary of State has arranged a reference to the Tribunal for consideration of whether to grant immigration bail to “P” in accordance with subsection (2)(c) of section [*Bail hearings (No. 2)*] and that hearing has not yet taken place.
- (3) Nothing in subsection (2) shall authorise the Secretary of State to detain “P” under a relevant detention power if such detention would, apart from this section, be unlawful.
- (4) In this section, “Tribunal” means the First-Tier Tribunal.
- (5) In this section, “relevant detention power” has the meaning given in section [*Time limit on detention for EEA and Swiss nationals*].”

Mr David Davis
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Ms Harriet Harman

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Tim Loughton
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Alan Brown
Dr Lisa Cameron
Kenny MacAskill
Hannah Bardell
Deidre Brock
Ben Lake
Angus Brendan MacNeil
David Linden
Not called NC9

To move the following Clause—

“Bail hearings (No. 2)

- (1) This section applies to any person (“P”) to whom section [*Time limit on immigration detention for EEA and Swiss nationals*] applies and who is detained under a relevant detention power.
- (2) Before the expiry of a period of 96 hours from the relevant time, the Secretary of State must—
 - (a) release “P”;

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

- (b) grant immigration bail to “P” under paragraph 1 of Schedule 10 to the Immigration Act 2016; or
 - (c) arrange a reference to the Tribunal for consideration of whether to grant immigration bail to “P”.
 - (3) Subject to subsection (4), when the Secretary of State arranges a reference to the Tribunal under subsection (2)(c), the Tribunal must hold an oral hearing (“an initial bail hearing”) which must commence within 24 hours of the time at which the reference is made.
 - (4) If the period of 24 hours in subsection (3) ends on a Saturday, Sunday or Bank holiday, the Tribunal must hold an initial bail hearing on the next working day.
 - (5) At the initial bail hearing, the Tribunal must—
 - (a) grant immigration bail to “P” under paragraph 1 of Schedule 10 to the Immigration Act 2016; or
 - (b) refuse to grant immigration bail to “P”.
 - (6) Subject to subsection (7), the Tribunal must grant immigration bail to “P” at a bail hearing unless it is satisfied that the Secretary of State has established that the criteria in subsection 1 of section [*Initial detention: criteria and duration (No. 2)*] are met and that, in addition—
 - (a) directions have been given for “P’s” removal from the United Kingdom and such removal is to take place within 14 days;
 - (b) a travel document is available for the purposes of “P’s” removal or deportation; and
 - (c) there are no outstanding legal barriers to removal.
 - (7) Subsection (6) does not apply if the Tribunal is satisfied that the Secretary of State has established that the criteria in subsection 1 of section [*Initial detention: criteria and duration (No. 2)*] above are met and that there are very exceptional circumstances which justify maintaining detention.
 - (8) In subsection (6) above, “a bail hearing” includes—
 - (a) an initial bail hearing under subsection (2) above; and
 - (b) the hearing of an application for immigration bail under paragraph 1(3) of Schedule 10 of the Immigration Act 2016.
 - (9) In this section, “Tribunal” means the First-Tier Tribunal.
 - (10) The Secretary of State shall provide to “P” or “P’s” legal representative, not more than 24 hours after the relevant time, copies of all documents in the Secretary of State’s possession which are relevant to the decision to detain.
 - (11) At the initial bail hearing, the Tribunal shall not consider any documents relied upon by the Secretary of State which were not provided to “P” or “P’s” legal representative in accordance with subsection (10), unless—
 - (a) “P” consents to the documents being considered; or
 - (b) in the opinion of the Tribunal there is a good reason why the documents were not provided to “P” or to “P’s” legal representative in accordance with subsection (10).
 - (12) The Immigration Act 2016 is amended as follows—
 - (a) After paragraph 12(4) of schedule 10 insert—
 - “(4A) Sub-paragraph (2) above does not apply if the refusal of bail within the meaning of section [*Bail hearings (No. 2)*] of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2019.””
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Immigration and Social Security Co-ordination (EU Withdrawal) Bill, *continued*

Mr David Davis
 Stuart C McDonald
 Joanna Cherry
 Caroline Lucas
 Gavin Robinson
 Ms Harriet Harman

Christine Jardine
 Richard Burgon
 Daisy Cooper
 Tim Farron
 Layla Moran
 Mr Andrew Mitchell
 Tim Loughton
 Debbie Abrahams
 Colum Eastwood
 Andy Slaughter
 Mr Alistair Carmichael
 Dr Philippa Whitford
 John Nicolson
 Alison Thewliss
 Kirsten Oswald
 Neale Hanvey
 Liz Saville Roberts
 Allan Dorans
 Anne McLaughlin

Sir Edward Davey
 Richard Fuller
 Wera Hobhouse
 Mr Steve Baker
 Sarah Olney
 Nadia Whittome
 Jim Shannon
 Mr John Baron
 Claire Hanna
 Ms Karen Buck
 Owen Thompson
 Alan Brown
 Dr Lisa Cameron
 Kenny MacAskill
 Hannah Bardell
 Deidre Brock
 Ben Lake
 Angus Brendan MacNeil
 David Linden

Wendy Chamberlain
 Stella Creasy
 Munira Wilson
 Carol Monaghan
 Jamie Stone
 Henry Smith
 Hywel Williams
 Stephen Farry
 Sir Peter Bottomley
 Gavin Newlands
 Alyn Smith
 Margaret Ferrier
 Drew Hendry
 Neil Gray
 Angela Crawley
 Mhairi Black
 Tommy Sheppard
 Chris Law

Not called **NC10**

To move the following Clause—

“Commencement of detention provisions (No. 2)

Sections [*Time limit on immigration detention for EEA and Swiss Nationals*], [*Initial detention: criteria and duration (No. 2)*] and [*Bail hearings (No. 2)*] come into force six months after the day on which this Act is passed.

Hywel Williams
 Stuart C McDonald
 Liz Saville Roberts
 Ben Lake
 Caroline Lucas
 Colum Eastwood

Claire Hanna
 Sarah Olney

Stephen Farry

Kenny MacAskill

Not called **NC11**

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.

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

- (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.”

Stephen Farry
Claire Hanna
Colum Eastwood
Kenny MacAskill
Christine Jardine
Dr Philippa Whitford

Caroline Lucas

Not called NC12

To move the following Clause—

“Status of Irish citizens

In addition to any rights enjoyed by virtue of their Irish citizenship under UK law, Irish citizens must be treated as having all rights enjoyed by persons with settled status under the EU Settlement Scheme.”

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

Keir Starmer
 Nick Thomas-Symonds
 Jonathan Reynolds
 Holly Lynch
 Kate Green
 Mr Nicholas Brown

Chris Elmore

Taiwo Owatemi

Stephen Farry

Negated on division **NC13**

To move the following Clause—

“Exemption from no recourse to public funds

- (1) This section applies during the current Covid- 19 pandemic, as defined by the World Health Organisation on 11 March 2020.
- (2) Section 3(1)(c)(i) and (ii) of the Immigration Act 1971 cannot be applied to persons who have lost rights because of section (1) and Schedule 1 of this Act.
- (3) This section could not be disapplied unless a resolution was passed by each House of Parliament.”

Keir Starmer
 Nick Thomas-Symonds
 Jonathan Reynolds
 Holly Lynch
 Kate Green
 Mr Nicholas Brown

Chris Elmore
 Layla Moran
 Wendy Chamberlain
 Stephen Farry

Taiwo Owatemi
 Sir Edward Davey
 Sarah Olney
 Tim Farron

Christine Jardine
 Munira Wilson
 Daisy Cooper

Not called **NC14**

To move the following Clause—

“Immigration Health Charge: Exemption for EEA and Swiss citizens who are healthcare and social workers

- (1) The Immigration Act 2014 is amended as follows.
- (2) After section 38 (Immigration health charge) insert—

“38A Health care workers and social workers from the EEA or Switzerland

- (1) Any person who but for the provisions of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 would have the right of free movement is exempt from the Immigration health charge if that person is—
 - (a) a healthcare worker; or
 - (b) a social care worker.
- (2) The exemption will also apply to a person who is a family member or dependant of an EEA or Swiss national who meets the conditions in section (1)(a) and (b).

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

(3) For this section—

“healthcare worker” means a worker who works in a healthcare setting within and outside the NHS who may come into contact with patients, including clinical administration staff, and care home staff;

“social care worker” means a worker as defined by section 55(2) of the Care Standards Act 2000.”

Keir Starmer
 Nick Thomas-Symonds
 Jonathan Reynolds
 Holly Lynch
 Kate Green
 Mr Nicholas Brown

Chris Elmore

Taiwo Owatemi

Not called NC15

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.”

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O’Hara
 Patrick Grady

Caroline Lucas

Dr Philippa Whitford

Not called NC16

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.”

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

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O'Hara
 Patrick Grady

Carol Monaghan

Caroline Lucas

Not called NC17

To move the following Clause—

“Report on cost of recruitment

- (1) The Secretary of State must lay before Parliament a report setting out the costs associated with the recruitment of overseas workers to the UK as compared to such other countries the Secretary of State considers appropriate.
- (2) The report must also set out the Secretary of State’s assessment of the impact of the costs referred to in subsection (1) on different sectors of the economy.
- (3) No regulations relating to costs for the recruitment of overseas workers may be made until such time as the report has been laid before Parliament and debated.
- (4) In this section “costs” include, but are not limited to, the following in relation to the UK—
 - (a) fees paid by an employer to register as a Tier 2 sponsor;
 - (b) visa fees paid by a Tier 2 worker and family members;
 - (c) immigration health surcharges for Tier 2 workers and family members;
 - (d) the immigration skills charge
 - (e) recruitment costs; and
 - (f) legal costs,
 and in relation to other countries, includes such fees and costs as the Secretary of State believes equivalent or otherwise relevant.
- (5) “Overseas worker” means a worker whose right to work in the UK have been impacted by section 1 and schedule 1.”

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O'Hara
 Patrick Grady

Caroline Lucas

Not called NC18

To move the following Clause—

“Hostile environment

- (1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—
 - (a) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;

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

- (b) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
 - (c) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.
- (2) Regulations under section 4(1) may not be made until the Government has brought forward legislative measures to ensure that hostile environment measures do not apply to P, specifically—
- (a) sections 20-43 and 46-47 of the Immigration Act 2014;
 - (b) sections 34-45 of the Immigration Act 2016; and
 - (c) schedule 2, paragraph 4 of the Data Protection Act 2018.”

Stuart C McDonald
Ian Blackford
Kirsty Blackman
Joanna Cherry
Brendan O’Hara
Patrick Grady

Caroline Lucas

Not called **NC19**

To move the following Clause—

“Data Protection

- (1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—
- (a) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
 - (b) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
 - (c) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.
- (2) Regulations under section 4(1) may not be made until the Government has made provision to ensure that P has safe and confidential access to essential public services by ensuring The Secretary of State, or any other individual or body on his behalf, must not process personal data, by any means, for the purposes of immigration control or enforcement, where that personal data has been collected in the course of the data subject accessing or attempting to access the public services identified in subsection (3).
- (3) For the purposes of subsection (2), the relevant public services are:
- (a) primary and secondary healthcare services;
 - (b) primary and secondary education; and
 - (c) the reporting of a crime by the data subject or, where the data subject is a witness to, or the victim of, the crime, any investigation or prosecution of it.

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

- (4) The prohibitions contained in subsections (2) and (3) do not apply where the data subject has given his or her explicit and informed consent to the disclosure of the personal data, for the purposes of immigration enforcement.”
-

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O’Hara
 Patrick Grady

Caroline Lucas

Not called NC20

To move the following Clause—

“Recourse to public funds

- (1) For the purpose of this section, a person (“P”) is defined as any person who, immediately before the commencement of Schedule 1, was—
- (a) residing in the United Kingdom in accordance with the Immigration (European Economic Area) Regulations 2016;
 - (b) residing in the United Kingdom in accordance with a right conferred by or under any of the other instruments which is repealed by Schedule 1; or
 - (c) otherwise residing in the United Kingdom in accordance with any right derived from European Union law which continues, by virtue of section 4 of the EU Withdrawal Act 2018, to be recognised and available in domestic law after exit day.
- (2) Regulations under section 4(1) may not be made until the Government has brought forward legislative measures to ensure that P can access social security benefits, where P is habitually resident, including repealing or amending the following provisions insofar as they relate to P—
- (a) section 3(1)(c)(ii) of the Immigration Act 1971;
 - (b) section 115 of the Immigration and Asylum Act 1999;
 - (c) any provision in subordinate legislation, which imposes a “no recourse to public funds” condition on grants of limited leave to enter or remain; and
 - (d) any other enactment or power exercised under any other enactment, which makes immigration status a condition to access social security benefits.”
-

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

Stuart C McDonald
Ian Blackford
Kirsty Blackman
Joanna Cherry
Brendan O'Hara
Patrick Grady

Christine Jardine
Dr Philippa Whitford
Munira Wilson
Daisy Cooper

Tim Farron
Layla Moran
Wendy Chamberlain

Caroline Lucas
Sir Edward Davey
Sarah Olney

Not called NC21

To move the following Clause—

“British Citizen registration fee

- (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.”

Stuart C McDonald
Ian Blackford
Kirsty Blackman
Joanna Cherry
Brendan O'Hara
Patrick Grady

Bell Ribeiro-Addy

Not called NC22

To move the following Clause—

“Visa requirements

Section E-LTRP.3.1 of Appendix FM of the Immigration Rules will not apply to persons who have lost free movement rights under section 1 and schedule 1 until the Coronavirus Act 2020 expires as set out under section 89(1).”

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

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O'Hara
 Patrick Grady

Not called **NC23**

To move the following Clause—

“Amendment of the Scotland Act 1998

- (1) The Scotland Act 1998 is amended as follows.
- (2) In Schedule 5, at paragraph B6, delete the words “free movement of persons within the European Economic Area;”.
- (3) In Schedule 5, at paragraph B6, insert at the end—

“Exception

Retained EU law relating to free movement of persons from the European Economic Area; and the subject matter of section 1 and schedule 1 of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020.””

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O'Hara
 Patrick Grady

Not called **NC24**

To move the following Clause—

“Remote Areas Pilot Scheme

- (1) Within 6 months of this Act receiving Royal Assent, the government must introduce a Remote Areas Pilot Scheme to encourage EEA and Swiss nationals to live and work in remote areas.
 - (2) The scheme in subsection (1) must be designed in consultation with the Northern Ireland Executive, the Scottish Government and the Welsh Government.
 - (3) The scheme in subsection (1) must operate for at least two years after which an evaluation report must be published and laid before both Houses of Parliament.
 - (4) A Minister of the Crown must make a motion in the House of Commons in relation to the report.”
-

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

Christine Jardine
Mr Alistair Carmichael
Tim Farron
Jamie Stone
Sir Edward Davey
Wera Hobhouse

Daisy Cooper
Munira Wilson
Bell Ribeiro-Addy

Sarah Olney
Layla Moran
Caroline Lucas

Wendy Chamberlain
Stephen Farry

Not selected **NC25**

To move the following Clause—

“Right to rent (repeal)

The following provisions of the Immigration Act 2014 are hereby repealed—

- (a) Sections 20 to 37; and
- (b) Schedule 3.”

Christine Jardine
Mr Alistair Carmichael
Tim Farron
Jamie Stone
Sir Edward Davey
Wera Hobhouse

Daisy Cooper
Munira Wilson
Bell Ribeiro-Addy

Sarah Olney
Layla Moran
Caroline Lucas

Wendy Chamberlain
Stephen Farry

Not called **NC26**

To move the following Clause—

“Right to rent (EEA and Swiss nationals)

The Secretary of State must make provision to ensure that EEA and Swiss nationals, and dependants of EEA and Swiss nationals, are not subjected to right to rent immigration checks.”

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

Christine Jardine
Mr Alistair Carmichael
Tim Farron
Jamie Stone
Sir Edward Davey
Wera Hobhouse

Daisy Cooper
Munira Wilson
Bell Ribeiro-Addy

Sarah Olney
Layla Moran
Caroline Lucas

Wendy Chamberlain
Stephen Farry

Not selected **NC27**

To move the following Clause—

“Data protection: immigration

- (1) The Data Protection Act 2018 is amended in accordance with subsection (2).
- (2) Leave out paragraph 4 of schedule 2.”

Christine Jardine
Mr Alistair Carmichael
Tim Farron
Jamie Stone
Sir Edward Davey
Wera Hobhouse

Daisy Cooper
Munira Wilson
Bell Ribeiro-Addy

Sarah Olney
Layla Moran
Caroline Lucas

Wendy Chamberlain
Stephen Farry

Not called **NC28**

To move the following Clause—

“Data protection: immigration (EEA and Swiss nationals)

- (1) The Data Protection Act 2018 is amended in accordance with subsection (2).
- (2) In paragraph 4 of schedule 2, after sub-paragraph (4) insert—

“(5) This paragraph does not apply if the data subject is an EEA or Swiss national or a dependent of an EEA or Swiss national.””

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

Yvette Cooper
 Tim Loughton
 Stuart C McDonald
 Fiona Bruce
 Dame Diana Johnson
 Mr Andrew Mitchell

Mr Clive Betts
 Sir David Amess
 Ms Diane Abbott
 Rushanara Ali
 Barbara Keeley
 Ms Karen Buck
 Ben Lake
 Christine Jardine
 Sir Edward Davey
 Layla Moran
 Carol Monaghan
 Gavin Robinson
 Fleur Anderson
 Daisy Cooper

Ms Harriet Harman
 Simon Fell
 Andrew Gwynne
 Debbie Abrahams
 Catherine McKinnell
 Stephen Farry
 Liz Saville Roberts
 Sarah Olney
 Joanna Cherry
 Munira Wilson
 Bell Ribeiro-Addy
 Caroline Lucas
 Alan Brown

Mr Alistair Carmichael
 Stella Creasy
 Sally-Ann Hart
 Tony Lloyd
 Andy Slaughter
 Hywel Williams
 Brendan O'Hara
 Stephen Timms
 Tim Farron
 Wendy Chamberlain
 Angus Brendan MacNeil
 Helen Hayes
 Lilian Greenwood

Negated on division **NC29**

To move the following Clause—

“Family reunion and resettlement

- (1) The Secretary of State must make provision to ensure that an unaccompanied child, spouse or vulnerable or dependant adult who has a family member who is legally present in the United Kingdom has the same rights to be reunited in the United Kingdom with that family member as they would have had under Commission Regulation (EU) No. 604/2013.
- (2) The Secretary of State must, within a period of six months beginning with the day on which this Act is passed—
 - (a) amend the Immigration Rules in order to preserve the effect in the United Kingdom of Commission Regulation (EU) No. 604/2013 for the family reunion of unaccompanied minors, spouses and vulnerable or dependant adults; and
 - (b) lay before both Houses of Parliament a strategy for ensuring the continued opportunity for relocation to the UK of unaccompanied children present in the territory of the EEA, if it is in the child's best interests.
- (3) For the purposes of this section, “family member”—
 - (a) has the same meaning as in Article 2(g) of Commission Regulation (EU) No. 604/2013;
 - (b) also has the same meaning as “relative” as defined in Article 2(h) of Commission Regulation (EU) No. 604/2013; and
 - (c) also includes the family members referred to in Article 8 (1), Article 16 (1) and 16 (2) of Commission Regulation (EU) No. 604/2013.
- (4) Until such time as Regulations in subsection (2) come into force, the effect of Commission Regulation (EU) No 604/2013 for the family reunion of unaccompanied minors, spouses and vulnerable or dependent adults with their family members in the UK shall be preserved.”

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

Yvette Cooper
 Mr Clive Betts
 Ms Harriet Harman
 Dame Diana Johnson
 Bell Ribeiro-Addy
 Caroline Lucas

Not called NC30

To move the following Clause—

“Impact assessment on the social care workforce

- (1) No Minister of the Crown may appoint a day for the commencement of any provision of this Act until the condition in subsection (2) is met.
- (2) This condition is that a Minister of the Crown has published and laid before both Houses of Parliament an assessment of the impact of the Act on recruitment of EU citizens, EEA nationals, and Swiss citizens to the social care sector.”

Yvette Cooper
 Mr Clive Betts
 Ms Harriet Harman
 Dame Diana Johnson
 Caroline Lucas

Not selected NC31

To move the following Clause—

“Non-applicability of hostile environment measures to EU citizens, EEA nationals and Swiss citizens and implementation of Wendy Williams recommendation for a full review of hostile/compliant environment measures

- (1) No amendment to the definition of ‘relevant national’ in section 21 of the Immigration Act 2014, so as to alter the provision made for a national of an EEA State or a national of Switzerland, may be made by regulations under
 - (a) Section 8, Section 23 and paragraph 21 of Schedule 7 of the European Union (Withdrawal) Act 2018,
 - (b) Section 14 of the European Union (Withdrawal Agreement) Act 2020, or
 - (c) Section 4 of this act.
- (2) In Paragraph 4 of Schedule 2 of the Data Protection Act 2018 (“Immigration”)-
 - (a) Omit “.” at the end of sub-paragraph (4),
 - (b) At the end of sub-paragraph (4), insert—
 - (5) Sub-paragraphs (1) and (3) do not apply where the personal data is that of a national of an EU Member State, an EEA State or Switzerland.”
- (3) This section comes into force on the day on which this Act is passed.
- (4) Within 30 days of the commencement of this section, the Home Secretary must make a statement to the House of Commons implementing, in full, Recommendation 7 of the Windrush Lessons Learned Review (HC 93).”

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

Yvette Cooper
Mr Clive Betts
Ms Harriet Harman
Dame Diana Johnson
Caroline Lucas

Not called NC32

To move the following Clause—

“Non-applicability of hostile environment measures to EU citizens, EEA nationals and Swiss citizens

- (1) No amendment to the definition of ‘relevant national’ in section 21 of the Immigration Act 2014, so as to alter the provision made for a national of an EEA State or a national of Switzerland, may be made by regulations under—
 - (a) Section 8, Section 23 and paragraph 21 of Schedule 7 of the European Union (Withdrawal) Act 2018;
 - (b) Section 14 of the European Union (Withdrawal Agreement) Act 2020; or
 - (c) Section 4 of this Act.
- (2) In Paragraph 4 of Schedule 2 of the Data Protection Act 2018 (“Immigration”)
 - (a) Omit “.” at the end of sub-paragraph (4),
 - (b) At the end of sub-paragraph (4), insert—
“; and
 - (5) Sub-paragraphs (1) and (3) do not apply where the personal data is that of a national of an EU Member State, an EEA State or Switzerland.”
- (3) This section comes into force on the day on which this Act is passed.”

Stuart C McDonald
Stephen Farry
Claire Hanna
Hywel Williams
Caroline Lucas

Not called NC33

To move the following Clause—

“Differentiated immigration rules

- (1) The Secretary of State must publish and lay before Parliament a report on the implementation of a system of differentiated immigration rules for people whose right of free movement is ended by section 1 and schedule 1 of this Act within six months of the passing of this Act.
- (2) The review in subsection (1) must consider the following—
 - (a) whether Scottish Ministers, Welsh Ministers, and the Northern Ireland Executive should be able to nominate a specified number of EEA and Swiss nationals for leave to enter or remain each year;
 - (b) the requirements that could be attached to the exercise of any such power including that the person lives and, where appropriate, works in Scotland, Wales or Northern Ireland and such other conditions as the Secretary of State believes necessary;

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

- (c) the means by which the Secretary of State could retain the power to refuse to grant leave to enter or remain on the grounds that such a grant would—
 - (i) not be in the public interest, or
 - (ii) not be in the interests of national security;
 - (d) how the number of eligible individuals allowed to enter or remain each year under such a scheme could be agreed annually by Scottish Ministers, Welsh Ministers and the Northern Ireland Executive and the Secretary of State; and
 - (e) whether Scottish Ministers, Welsh Ministers, and the Northern Ireland Executive should be able to issue Scottish, Welsh and Northern Irish Immigration Rules, as appropriate, setting out the criteria by which they will select eligible individuals for nomination, including salary thresholds and financial eligibility.
- (3) As part of the review in subsection (1), the Secretary of State must consult—
- (a) the Scottish Government;
 - (b) the Welsh Government;
 - (c) the Northern Ireland Executive; and
 - (d) individuals, businesses, and other organisations in the devolved nations”.

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O’Hara
 Patrick Grady

Caroline Lucas

Dr Philippa Whitford

Not called **NC34**

To move the following Clause—

“Late applications

- “(1) Prior to the deadline for applications to the EU Settlement Scheme, the Secretary of State must publish a report setting out proposals for dealing with late applications and a motion to approve the report must be debated and approved by both Houses of Parliament.
 - (2) Until the report under subsection (1) is debated and approved by both Houses of Parliament, the EU Settlement Scheme must remain open for applications and the Secretary of State must extend the deadline for applications accordingly.”
-

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

Yvette Cooper
 Tim Loughton
 Stuart C McDonald
 Dame Diana Johnson
 Simon Fell
 Ms Diane Abbott

Andrew Gwynne
 Bell Ribeiro-Addy
 Stephen Farry
 Munira Wilson
 Daisy Cooper

Mr Clive Betts
 Tim Farron
 Layla Moran
 Wendy Chamberlain

Christine Jardine
 Caroline Lucas
 Sir Edward Davey
 Sarah Olney

Not called NC35

To move the following Clause—

“Visa extensions for health and care workers 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 twelve 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.”

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

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O'Hara
 Patrick Grady

Bell Ribeiro-Addy
 Wendy Chamberlain

Caroline Lucas

Dr Philippa Whitford

Not called **NC36**

To move the following Clause—

“Applications for citizenship from people with settled status

Where a person with settled status applies for British Citizenship, then the period of person’s residence that qualified them for settled status shall be treated as not being in breach of the immigration laws.”

Keir Starmer
 Nick Thomas-Symonds
 Jonathan Reynolds
 Holly Lynch
 Kate Green
 Mr Nicholas Brown

Caroline Lucas

Not called **NC37**

To move the following Clause—

“Annual report on skills and the labour market

- (1) Within six months of this Act coming into force, and every 12 months thereafter, the Secretary of State must publish and lay a report before Parliament setting out how changes made to the Immigration Rules for EEA and Swiss nationals have affected skill shortages in the labour market.
 - (2) A Minister of the Crown must, not later than a month 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*

Christine Jardine
Mr Alistair Carmichael
Tim Farron
Jamie Stone
Sir Edward Davey
Wera Hobhouse

Daisy Cooper
Munira Wilson
Caroline Lucas

Sarah Olney
Layla Moran

Wendy Chamberlain
Stephen Farry

Not called NC38

To move the following Clause—

“European citizens’ rights

- (1) This section applies to EEA and Swiss nationals—
 - (a) who are within the personal scope of the withdrawal agreement (defined in Article 10) having the right to reside in the United Kingdom; or
 - (b) 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.
- (2) A person has settled status in the United Kingdom if that person meets the criteria set out in ‘Eligibility for indefinite leave to enter or remain’ or ‘Eligibility for limited leave to enter or remain’ in Immigration Rules Appendix EU.
- (3) A person with settled status holds indefinite leave to enter or remain and has the rights provided by the withdrawal agreement for those holding permanent residence as defined in Article 15 of the agreement, even if that person is not in employment, has not been in employment or has no sufficient resources or comprehensive sickness insurance.
- (4) The Secretary of State must by regulations made by statutory instrument 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; and
 - (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.
- (5) A person with settled status does not lose the right to reside for not having registered their settled status.
- (6) A person who has settled status who has not registered their settled status by 30 June 2021 or any later date decided by the Secretary of State may register at any time after that date under the same conditions as those registering prior to that date.
- (7) After 30 June 2021 or any later date decided by the Secretary of State, a person or their agent may require proof of registration of settled status under conditions prescribed by the Secretary of State in regulations made by statutory instrument, subject to subsections (8) to (10).
- (8) Any person or their agent who is allowed under subsection (7) to require proof of registration has discretion to establish by way of other means than proof of registration that the eligibility requirements for settled status under the provisions of this section have been met.

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

- (9) When a person within the scope of this section is requested to provide proof of registration of settled status as a condition to retain social security benefits, housing assistance, access to public services or entitlements under a private contract, that person shall be given a reasonable period of at least three months to initiate the registration procedure set out in this section if that person has not already registered.
- (10) During the reasonable period under subsection (9), and subsequently on the provision of proof of commencement of the registration procedure and until a final decision on registration on which no further administrative or judicial recourse is possible, a person cannot be deprived of existing social security benefits, housing assistance, access to public services or private contract entitlements on the grounds of not having proof of registration.
- (11) The regulations adopted under subsection (7) must apply to all persons defined in subsection (1).
- (12) A statutory instrument containing regulations under this section may not be made unless a draft instrument has been laid before and approved by a resolution of each House of Parliament.
- (13) In this section—
- “EEA EFTA separation agreement” means (as modified from time to time in accordance with any provision of it) the Agreement on arrangements between Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland following the withdrawal of the United Kingdom from the European Union, the EEA Agreement and other agreements applicable between the United Kingdom and the EEA EFTA States by virtue of the United Kingdom’s membership of the European Union;
- “residence scheme immigration rules” has the meaning defined in section 17 of the European Union (Withdrawal Agreement) Act 2020;
- “Swiss citizens’ rights agreement” means (as modified from time to time in accordance with any provision of it) the Agreement signed at Bern on 25 February 2019 between the United Kingdom of Great Britain and Northern Ireland and the Swiss Confederation on citizens’ rights following the withdrawal of the United Kingdom from— (a) the European Union, and (b) the free movement of persons agreement;
- “withdrawal agreement” means 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 (as that agreement is modified from time to time in accordance with any provision of it).”
-

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

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O'Hara
 Patrick Grady

Caroline Lucas

Clause 4, page 2, line 34, leave out “, or in connection with,”

Not called 34

Christine Jardine
 Mr Alistair Carmichael
 Tim Farron
 Jamie Stone
 Sir Edward Davey
 Wera Hobhouse

Daisy Cooper
 Munira Wilson
 Caroline Lucas

Sarah Olney
 Layla Moran

Wendy Chamberlain
 Stephen Farry

Clause 4, page 3, line 8, at end insert—

“(5A) Regulations under subsection (1) must provide that EEA and Swiss nationals, and adult dependants of EEA and Swiss nationals, who are applying for asylum in the United Kingdom, may apply to the Secretary of State for permission to take up employment if a decision at first instance has not been taken on the applicant’s asylum application within 3 months of the date on which it was recorded.”

Not called 36

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O'Hara
 Patrick Grady

Caroline Lucas

Dr Philippa Whitford

Clause 4, page 3, line 28, at end insert—

“(11) Subject to subsection (13), regulations made under subsection (1) must make provision for ensuring that all qualifying persons have within the United Kingdom the rights set out in Title II of Part 2 of the Withdrawal Agreement, the EEA EFTA separation agreement and the Swiss citizens’ rights agreement and implementing the following provisions—

- (a) Article 18(4) of the Withdrawal Agreement (Issuance of residence documents);
- (b) Article 17(4) of the EEA EFTA separation agreement (Issuance of residence documents); and
- (c) Article 16(4) of the Swiss citizens’ rights agreement (Issuance of residence documents).

(12) In this section, “qualifying persons” means—

- (a) those persons falling within the scope of the agreements referred to; and
- (b) those eligible under the residence scheme immigration rules, as defined by section 17(1) of the European Union (Withdrawal Agreement) Act 2020.

Not called 32

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

- (13) Notwithstanding subsection (11), regulations must confer a right of permanent, rather than temporary, residence on all qualifying persons residing in the UK prior to such date as the Secretary of State deems appropriate, being no earlier than 23rd June 2016.”

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O’Hara
 Patrick Grady

Caroline Lucas

Not called 33

Clause 4, page 3, line 28, at end insert—

- “(11) Regulations made under subsection (1) must make provision for admission of EEA nationals as spouses, partners and children of UK citizens and settled persons.
- (12) Regulations made under subsection (1) may require that the EEA nationals entering as spouses, partners and children of UK citizens and settled persons can be “maintained and accommodated without recourse to public funds” but in deciding whether that test is met, account must be taken of the prospective earnings of the EEA nationals seeking entry, as well as an third party support that may be available.
- (13) Regulations made under subsection (1) must not include any test of financial circumstances beyond that set out in subsection (12).”

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O’Hara
 Patrick Grady

Caroline Lucas

Dr Philippa Whitford

Not called 38

Clause 4, page 3, line 28, at end insert—

- “(11) Regulations made under subsection (1) must make provision enabling UK citizens falling within the personal scope of the Withdrawal Agreement, the EEA EFTA separation agreement or the Swiss citizens’ rights agreement to return to the UK accompanied by, or to be joined in the UK by, close family members.
- (12) Regulations under subsection (1) may not impose any conditions on the entry or residence of close family members which could not have been imposed under EU law relating to free movement, as at the date of this Act coming into force.
- (13) References in subsection (11) to the Withdrawal Agreement, the EEA EFTA separation agreement and the Swiss citizens’ rights agreement have the same meaning as in the European Union (Withdrawal Agreement) Act 2020.
- (14) For the purposes of subsection (11), “close family members” means
- (a) children (including adopted children); and
 - (b) other close family members where that relationship subsisted on or before 31st January 2020 and has continued to subsist.”

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

Secretary Priti Patel

Agreed to 1

Clause 5, page 4, line 31, leave out “devolved authority” and insert “Northern Ireland department”

Secretary Priti Patel

Agreed to 2

Clause 5, page 4, line 32, leave out “devolved authority” and insert “Northern Ireland department”

Secretary Priti Patel

Agreed to 3

Clause 5, page 4, line 33, leave out “of devolved authorities”

Secretary Priti Patel

Agreed to 4

Clause 6, page 4, leave out lines 41 and 42

Stuart C McDonald
 Ian Blackford
 Kirsty Blackman
 Joanna Cherry
 Brendan O’Hara
 Patrick Grady

Not called 35

Clause 7, page 5, line 13, at end insert—
 “(1A) Section 1 and Schedule 1 of this Act do not extend to Scotland.”

Christine Jardine
 Mr Alistair Carmichael
 Tim Farron
 Jamie Stone
 Sir Edward Davey
 Wera Hobhouse

Daisy Cooper
 Munira Wilson
 Caroline Lucas

Sarah Olney
 Layla Moran

Wendy Chamberlain
 Stephen Farry

Not selected 37

Clause 8, page 5, line 34, at end insert—
 “(1A) Notwithstanding subsection (1), Part 1 cannot come into force until the Secretary of State has implemented in full the recommendations of the Windrush Lessons Learned Review and laid before Parliament a report setting out how the recommendations have been implemented.”

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

Keir Starmer
 Nick Thomas-Symonds
 Jonathan Reynolds
 Holly Lynch
 Kate Green
 Mr Nicholas Brown

Not called 39

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.”

Secretary Priti Patel

Agreed to 5

Schedule 2, page 9, line 2, at end insert—

“PART A1

SCOPE OF THE POWER OF A MINISTER OF THE CROWN ACTING ALONE OR JOINTLY

- A1 No provision that would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament may be made—
- (a) by the Secretary of State or the Treasury acting alone, or
 - (b) by a Minister of the Crown acting jointly with a Northern Ireland department,
- in regulations under section 5, unless that provision is merely incidental to, or consequential on, provision that would be outside that legislative competence.
- A2 In considering, for the purposes of paragraph A1, whether a provision would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament, no account is to be taken of section 29(2)(d) of the Scotland Act 1998 so far as relating to EU law.”

Secretary Priti Patel

Agreed to 6

Schedule 2, page 9, line 6, leave out “devolved authority” and insert “Northern Ireland department”

Secretary Priti Patel

Agreed to 7

Schedule 2, page 9, line 8, leave out “devolved authority” and insert “Northern Ireland department”

Secretary Priti Patel

Agreed to 8

Schedule 2, page 9, line 9, leave out paragraph 2

Secretary Priti Patel

Agreed to 9

Schedule 2, page 10, line 6, leave out “devolved authority” and insert “Northern Ireland department”

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

Secretary Priti Patel

Schedule 2, page 10, line 9, leave out “devolved authority” and insert “Northern Ireland department” *Agreed to 10*

Secretary Priti Patel

Schedule 2, page 10, line 11, leave out from “by” to “a” in line 14 *Agreed to 11*

Secretary Priti Patel

Schedule 2, page 10, line 19, leave out from first “an” to end of line *Agreed to 12*

Secretary Priti Patel

Schedule 2, page 10, line 22, leave out “devolved authority” and insert “Northern Ireland department” *Agreed to 13*

Secretary Priti Patel

Schedule 2, page 10, line 23, leave out “another person” and insert “a Northern Ireland devolved authority”. *Agreed to 14*

Secretary Priti Patel

Schedule 2, page 10, line 27, leave out sub-paragraph (1) *Agreed to 15*

Secretary Priti Patel

Schedule 2, page 10, line 46, leave out “(1) or” *Agreed to 16*

Secretary Priti Patel

Schedule 2, page 11, line 1, leave out from first “an” to second “Act” *Agreed to 17*

Secretary Priti Patel

Schedule 2, page 11, line 5, leave out from “by” to “a” in line 8 *Agreed to 18*

Secretary Priti Patel

Schedule 2, page 11, line 11, leave out sub-paragraph (1) *Agreed to 19*

Secretary Priti Patel

Schedule 2, page 11, line 25, leave out “(1) or” *Agreed to 20*

Secretary Priti Patel

Schedule 2, page 11, line 26, leave out from “an” to “Act” in line 27 *Agreed to 21*

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

Secretary Priti Patel

Schedule 2, page 11, line 30, leave out “(1) or”

Agreed to 22

Secretary Priti Patel

Schedule 2, page 11, line 32, leave out from “by” to “a” in line 35

Agreed to 23

Secretary Priti Patel

Schedule 2, page 12, line 4, leave out “Section 57(2) of the Scotland Act 1998 and”

Agreed to 24

Secretary Priti Patel

Schedule 2, page 12, line 5, leave out “, so far as relating to EU law, do” and insert “does”

Agreed to 25

Secretary Priti Patel

Schedule 3, page 12, line 14, leave out “devolved authority” and insert “Northern Ireland department”

Agreed to 26

Secretary Priti Patel

Schedule 3, page 12, line 21, leave out paragraph 2

Agreed to 27

Secretary Priti Patel

Schedule 3, page 12, line 31, leave out sub-paragraph (2)

Agreed to 28

Secretary Priti Patel

Schedule 3, page 13, line 1, leave out paragraph 4 and insert —

Agreed to 29*“Scrutiny where joint exercise*

4 Regulations under section 5 of a Minister of the Crown acting jointly with a Northern Ireland department may not be made unless—

- (a) a draft of the statutory instrument containing those regulations has been laid before, and approved by a resolution of, each House of Parliament, and
- (b) a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.”

Secretary Priti Patel

Schedule 3, page 14, line 3, leave out “the Scottish Parliament or”

Agreed to 30

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

Secretary Priti Patel

Schedule 3, page 14, line 7, leave out “the Scottish Parliament or, as the case may be,” *Agreed to* **31**

Bill read the third time on division, and passed.
