



House of Commons

Wednesday 4 November 2020

CONSIDERATION OF LORDS MESSAGE

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

On Consideration of Lords Amendments in lieu of Lords Amendments disagreed to by this House

Lords Amendment No. **4B**

Secretary Priti Patel

To move, That this House disagrees with the Lords in their Amendment.

Secretary Priti Patel

To move, the following Amendments to the Bill in lieu of the Lords Amendment:—

Page 2, line 22, at end insert the following new Clause—

(a)

“Protection claimants: legal routes from the EU and family reunion

- (1) The Secretary of State must review, or arrange for a review of, the ways in which protection claimants who are in a member State are able to enter the United Kingdom lawfully.
- (2) For the purposes of this section a “protection claimant” is a person who—
 - (a) has made an application for international protection to a member State, or
 - (b) is not a national of a member State and is seeking to come to the United Kingdom from a member State for the purpose of making a protection claim.
- (3) The review under subsection (1) must, in particular—
 - (a) consider the position of unaccompanied children in member States who are protection claimants and are seeking to come to the United Kingdom to join relatives there, and

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- (b) include a public consultation on that aspect of the review.
- (4) The Secretary of State must, within the period of three months beginning with the day on which this Act is passed, lay before Parliament a statement providing further details about the review under subsection (1) and, in particular, about the aspect of the review described in subsection (3).
- (5) After the review, the Secretary of State must—
 - (a) prepare a report on the outcome of the review or arrange for such a report to be prepared, and
 - (b) publish the report and lay it before Parliament.
- (6) In this section—
 - “application for international protection” has the meaning given by Article 2(h) of Directive 2011/95/EU of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted;
 - “protection claim” has the same meaning as in Part 5 of the Nationality, Immigration and Asylum Act 2002 (see section 82(2) of that Act);
 - “relative”, in relation to an unaccompanied child, means a parent, grandparent, uncle, aunt, brother or sister of the child;
 - “unaccompanied child” means a person under the age of 18 (“the child”) who is not in the care of a person who—
 - (a) is aged 18 or over, and
 - (b) by law or custom of the country or territory in which the child is present, has responsibility for caring for the child.”

Page 5, line 33, at beginning insert “Subject to subsection (1A),”

(b)

Page 5, line 34, at end insert—

(c)

- “(1A) The following provisions of section (*Protection claimants: legal routes from the EU and family reunion*) come into force at the end of the period of two months beginning with the day on which this Act is passed—
- (a) subsection (4);
 - (b) subsections (2) and (6) so far as relating to subsection (4).”

