
Committee Stage: Tuesday 21 March 2023

Illegal Migration Bill (Amendment Paper)

This document lists all amendments tabled to the Illegal Migration Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New Amendments.

☆ Amendments which will comply with the required notice period at their next appearance.

New Amendments: 65 to 69 and NC10 to NC12

CLAUSES 37 TO 51; NEW CLAUSES AND NEW SCHEDULES RELATING TO
THE SUBJECT MATTER OF THOSE CLAUSES

CLAUSES 37 TO 51

Secretary Suella Braverman

Gov 67

★ Clause 45, page 47, line 17, after “(appeals)” insert “or section 2AA of the Special Immigration Appeals Commission Act 1997 (appeals in relation to the Illegal Migration Act 2023)”

Member's explanatory statement

This amendment is consequential on NC11.

Stephen Kinnock

41

Clause 45, page 47, line 21, at end insert—

“(2A) In cases where subsection (2) applies to a person who has made a protection claim or a human rights claim, that claim may no longer be considered inadmissible.”

Member's explanatory statement

This amendment stipulates that where a person has successfully made a suspensive claim against their removal from the UK, any asylum or human rights claim made by that person can no longer be classed as inadmissible.

Secretary Suella Braverman

Gov 69

★ Clause 45, page 47, line 30, at end insert—

“(3A) In subsection (3) the reference to a change of circumstances in relation to a person includes in particular where any—

- (a) human rights claim, or
- (b) application for judicial review,

made by the person in relation to their removal from the United Kingdom is not successful.”

Member's explanatory statement

This amendment clarifies that in clause 45 (suspensive claims: duty to remove), a reference to a change of circumstances includes where a person’s human rights claim or application for judicial review in relation to their removal from the United Kingdom is not successful.

Secretary Suella Braverman

Gov 68

★ Clause 45, page 47, line 33, leave out “and 43” and insert “, 43 and (*Special Immigration Appeals Commission*)”**Member's explanatory statement**

This amendment is consequential on NC11.

Secretary Suella Braverman

Gov NC11

★ To move the following Clause—

“Judges of First-tier Tribunal and Upper Tribunal

In section 5(1) of the Tribunals, Courts and Enforcement Act 2007 (judges and other members of the Upper Tribunal), after paragraph (c) insert—

“(ca) is a judge of the First-tier Tribunal, ”.”

Member's explanatory statement

This new clause amends the Tribunals, Courts and Enforcement Act 2007 to provide for judges of the First-tier Tribunal (including Employment Judges) to be able to act as judges of the Upper Tribunal.

Secretary Suella Braverman

Gov NC12

★ To move the following Clause—

“Special Immigration Appeals Commission

- (1) This section applies where the Secretary of State makes a decision under section 40(2)(b) or 41(2)(b) (refusal of suspensive claim) in relation to a suspensive claim.
- (2) An appeal under section 42, or an application for permission to appeal under section 43, in relation to the decision may not be brought or continued if the Secretary of State acting in person certifies that the decision was made wholly or partly in reliance on information which, in the opinion of the Secretary of State, should not be made public—
 - (a) in the interests of national security,
 - (b) in the interests of the relationship between the United Kingdom and another country, or
 - (c) otherwise in the public interest.
- (3) Where a certificate is issued under subsection (2), any pending appeal, or application for permission to appeal, in relation to the decision lapses.
- (4) The Special Immigration Appeals Commission Act 1997 is amended as follows.
- (5) After section 2 insert—

“2AA Jurisdiction: appeals in relation to the Illegal Migration Act 2023

- (1) A person may appeal to the Special Immigration Appeals Commission against a refusal decision if—
 - (a) the person would, but for a certificate of the Secretary of State under section (*Special Immigration Appeals Commission*) of the Illegal Migration Act 2023 (Special Immigration Appeals Commission), be able to—
 - (i) appeal against the decision under section 42 of that Act, or
 - (ii) apply for permission to appeal against the decision under section 43 of that Act, or
 - (b) an appeal against the decision under section 42 of that Act, or an application for permission to appeal against the decision under section 43 of that Act, lapsed under section (*Special Immigration Appeals Commission*) of that Act by virtue of a certificate of the Secretary of State under that section.
- (2) Sections 42(3) to (6) and 46(2) to (8) of the Illegal Migration Act 2023 apply, with the modification in subsection (3), in relation to an appeal under this section as they apply in relation to an appeal under section 42 of that Act.
- (3) The modification is that references to the Upper Tribunal are to read as references to the Special Immigration Appeals Commission.

- (4) In this section “refusal decision” means a decision of the Secretary State under section 40(2)(b) or 41(2)(b) of the Illegal Migration Act 2023 (refusal of suspensive claim).

2AB Finality of certain decisions by the Special Immigration Appeals Commission

- (1) Subsections (2) and (3) apply in relation to a decision by the Special Immigration Appeals Commission to grant or refuse an application for a declaration under section 46(6) of the Illegal Migration Act 2023 (consideration of new matters), as applied by section 2AA(2) of this Act.
- (2) The decision is final, and not liable to be questioned or set aside in any other court.
- (3) In particular—
- (a) the Special Immigration Appeals Commission is not to be regarded as having exceeded its powers by reason of any error made in reaching the decision;
 - (b) the supervisory jurisdiction does not extend to, and no application or petition for judicial review may be made or brought in relation to, the decision.
- (4) Subsections (2) and (3) do not apply so far as the decision involves or gives rise to any question as to whether—
- (a) the Special Immigration Appeals Commission has or had a valid application before it under section 46(6) of the Illegal Migration Act 2023, as applied by section 2AA(2) of this Act,
 - (b) the Special Immigration Appeals Commission is or was properly constituted for the purpose of dealing with the application, or
 - (c) the Special Immigration Appeals Commission is acting or has acted—
 - (i) in bad faith, or
 - (ii) in such a procedurally defective way as amounts to a fundamental breach of the principles of natural justice.
- (5) In this section—
- “decision” includes any purported decision;
- “the supervisory jurisdiction” means the supervisory jurisdiction of—
- (a) the High Court, in England and Wales or Northern Ireland, or
 - (b) the Court of Session, in Scotland.”
- (6) In the following provisions, for “2 or 2B” substitute “2, 2AA or 2B”—
- (a) section 5(1)(a) and (b);
 - (b) section 5(2);
 - (c) section 6A(1);
 - (d) section 6A(2)(a).

- (7) In section 5 (procedure in relation to jurisdiction under sections 2 and 3), in the heading, after “2” insert “, 2AA”.

Member's explanatory statement

This new clause makes provision for certain appeals to be heard by the Special Immigration Appeals Commission where the Secretary of State certifies that a decision to refuse a suspensive claim made by a person was made in reliance on information which the Secretary of State considers should not be made public.

CLAUSES 2 TO 5; THE SCHEDULE; CLAUSES 6 TO 36 AND 52 TO 58;
REMAINING NEW CLAUSES AND NEW SCHEDULES; CLAUSE 1; REMAINING
PROCEEDINGS OF THE BILL

CLAUSES 2 TO 5

Stephen Kinnock

2

Clause 2, page 3, line 12, after “race” insert “gender”

Member's explanatory statement

This amendment would explicitly add persecution on the basis of gender as potential reasons for the purposes of the third condition.

Stephen Kinnock

6

Clause 2, page 4, line 4, at end insert—

- “(d) the Secretary of State is satisfied that the person is cooperating with a public authority in connection with an investigation or criminal proceedings related to people smuggling offences, and that it is necessary for the person to remain in the United Kingdom for the purposes of such cooperation.”

Member's explanatory statement

This amendment would provide an exemption from the duty to remove for people assisting with investigations or prosecutions for people smuggling offences, similar to the exemption provided by clause 21 for victims of modern slavery.

Stephen Kinnock

8

Clause 4, page 4, line 28, leave out subsection (1)

Member's explanatory statement

This amendment would remove the provision of the Bill which states that the clause 1 ‘duty to remove’ applies regardless of whether the person has made a claim for asylum, or a claim that their removal may breach their human rights, or if the person may be a victim of modern slavery.

Stephen Kinnock

13

Clause 5, page 6, line 33, at end insert—

“(c) in a case where P is a national of a country to which their return may reasonably be expected to constitute a breach of Article 33 of the Convention relating to the Status of Refugees of 1951.”

Member's explanatory statement

This amendment would add to the list of exceptional circumstances, in which a person should not be returned to a country of origin ordinarily considered safe, cases in which their removal may reasonably be expected to constitute a breach of the principle of non-refoulement under Article 33 of the Refugee Convention.

CLAUSES 6 TO 36 AND 52 TO 58

Stephen Kinnock

17

Clause 6, page 8, line 12, after “international organisations” insert “including but not limited to, the United Nations High Commissioner for Refugees”

Member's explanatory statement

This amendment would add an explicit requirement for the Secretary of State to have regard to information from the UN High Commissioner for Refugees when considering whether to add new countries or territories to the Schedule of safe third countries to which a person may be removed.

Stephen Kinnock

18

Clause 7, page 8, line 36, at end insert—

“(3A) A notice under subsection (2) must—
 (a) be provided in a language understood by that person, and
 (b) provide information about how that person may access legal advice.”

Member's explanatory statement

This amendment would require the notices of removal to be provided in a language understood by the recipient, and to include information about how the recipient may access legal advice.

Mr Alistair Carmichael

65

★ Clause 11, page 14, line 38, at end insert “provided that it is compliant with the Detention Centre Rules 2001 and that local residents who may be affected are properly consulted.”

Stephen Kinnock	21
Clause 11, page 17, line 9, leave out subsection (11)	
Member's explanatory statement	
This amendment seeks to remove the provisions which disapply existing statutory time limits on detention of pregnant women to people detained under powers set out in this clause.	
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Stephen Kinnock	24
Clause 21, page 25, line 19, at end insert—	
“(aa) the Secretary of State is satisfied that the person is a threat to public order, within the terms of section 63(3) of the Nationality and Borders Act 2022.”	
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Mr Alistair Carmichael	51
Tim Farron	
Page 25, line 15, leave out Clause 21	
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Mr Alistair Carmichael	52
Tim Farron	
Page 27, line 10, leave out Clause 22	
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Mr Alistair Carmichael	53
Tim Farron	
Page 27, line 23, leave out Clause 23	
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Mr Alistair Carmichael	54
Tim Farron	
Page 29, line 5, leave out Clause 24	
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Mr Alistair Carmichael	55
Tim Farron	
Page 30, line 31, leave out Clause 25	

Mr Alistair Carmichael 56
Tim Farron

Page 31, line 25, leave out Clause 26

Mr Alistair Carmichael 57
Tim Farron

Page 32, line 6, leave out Clause 27

Mr Alistair Carmichael 58
Tim Farron

Page 33, line 7, leave out Clause 28

Mr Alistair Carmichael 59
Tim Farron

Clause 54, line 34, leave out paragraphs (c) to (h)

Member's explanatory statement

This amendment is consequential on deleting clauses 21 to 28 relating to modern slavery.

Mr Alistair Carmichael 60
Tim Farron

Clause 56, page 56, line 4, leave out subsections (2) to (4)

Member's explanatory statement

This amendment is consequential on deleting clauses 21 to 28 relating to modern slavery.

Mr Alistair Carmichael 63
Tim Farron

Clause 57, page 56, line 19, at end insert "provided that the impact assessment required by section (*impact assessment*) has been laid before Parliament."

Member's explanatory statement

This amendment is consequential on NC5.

Secretary Suella Braverman

Gov 66

★ Clause 57, page 56, line 22, leave out subsection (3) and insert—

“(3) The following provisions come into force on the day on which this Act is passed—

- (a) section (*Judges of First-tier Tribunal and Upper Tribunal*);
- (b) sections 52 to 56;
- (c) this section;
- (d) section 58.”

Member's explanatory statement

This amendment provides for the new clause inserted by NC11 to come into force on the day on which this Act is passed.

Mr Alistair Carmichael

64

Tim Farron

Clause 57, page 56, line 22, after “sections” insert “(*impact assessment*) and”

Member's explanatory statement

This amendment is consequential on NC5.

Mr Alistair Carmichael

61

Tim Farron

Clause 57, page 56, line 32, leave out paragraphs (e) to (h)

Member's explanatory statement

This amendment is consequential on deleting clauses 21 to 28 relating to modern slavery.

Stephen Kinnock

50

Clause 57, page 57, line 2, at end insert—

“(4A) The Secretary of State may by regulations under subsection (1) bring into force the provisions in sections 21 to 28 on modern slavery.

- (4B) For the purposes of subsection (4A) above, the Secretary of State may not make regulations until after an Independent Anti-Slavery Commissioner has been—
- (a) appointed; and
 - (b) consulted by the Secretary of State on the potential implications of the relevant sections.”

Member's explanatory statement

This amendment is intended to delay the entry into force of the Bill's provisions on modern slavery until such time as the Secretary of State has appointed and consulted with a new Independent Anti-Slavery Commissioner.

REMAINING NEW CLAUSES AND NEW SCHEDULES

Mr Alistair Carmichael

NC1

Layla Moran
Tim Farron

To move the following Clause—

"Limits on detention

- (1) No person under the age of 18 may be detained in asylum accommodation at any time.
- (2) No person aged 18 or over may be detained in asylum accommodation for more than 28 days."

Mr Alistair Carmichael

NC2

Tim Farron

To move the following Clause—

"Smuggling

- (1) Not less than six months before this Act comes into force, the Secretary of State must publish a report to Parliament regarding discussions with the governments and authorities of other countries, including those bordering the English Channel and the North Sea, concerning the steps taken or proposed to prevent or deter a person from—
 - (a) charging refugees for assistance or purported assistance in travelling to or entering the United Kingdom;
 - (b) endangering the safety of refugees travelling to the United Kingdom.
- (2) The report must focus on steps other than the provisions of this Act."

Member's explanatory statement

This new clause requires the Secretary of State to publish a report on the actions that are being taken to tackle people smugglers.

Mr Alistair Carmichael

NC3

Tim Farron

To move the following Clause—

“Refugee resettlement target

- (1) The Secretary of State must make an order by statutory instrument setting an annual target for the resettlement of refugees to the United Kingdom.
- (2) An order under subsection (1) must set an annual target of no fewer than 10,000 people.”

Member's explanatory statement

This new clause would require the Secretary of State to set a resettlement target, by order, each year of at least 10,000 people.

Mr Alistair Carmichael

NC4

Tim Farron

To move the following Clause—

“Humanitarian travel permit

- (1) On an application by a person (“P”) to the appropriate decision-maker for entry clearance, the appropriate decision-maker must grant P entry clearance if satisfied that P is a relevant person.
- (2) For the purposes of subsection (1), P is a relevant person if—
 - (a) P intends to make a protection claim in the United Kingdom;
 - (b) P’s protection claim, if made in the United Kingdom, would have a realistic prospect of success; and
 - (c) there are serious and compelling reasons why P’s protection claim should be considered in the United Kingdom.
- (3) For the purposes of subsection (2)(c), in deciding whether there are such reasons why P’s protection claim should be considered in the United Kingdom, the appropriate decision-maker must take into account—
 - (a) the extent of the risk that P will suffer persecution or serious harm if entry clearance is not granted;
 - (b) the strength of P’s family and other ties to the United Kingdom;
 - (c) P’s mental and physical health and any particular vulnerabilities that P has; and
 - (d) any other matter that the decision-maker thinks relevant.
- (4) For the purposes of an application under subsection (1), the appropriate decision-maker must waive any of the requirements in subsection (5) if satisfied that P cannot reasonably be expected to comply with them.
- (5) The requirements are—

- (a) any requirement prescribed (whether by immigration rules or otherwise) under section 50 of the Immigration, Asylum and Nationality Act 2006; and
 - (b) any requirement prescribed by regulations made under section 5, 6, 7 or 8 of the UK Borders Act 2007 (biometric registration).
- (6) No fee may be charged for the making of an application under subsection (1).
- (7) An entry clearance granted pursuant to subsection (1) has effect as leave to enter for such period, being not less than six months, and on such conditions as the Secretary of State may prescribe by order.
- (8) Upon a person entering the United Kingdom (within the meaning of section 11 of the Immigration Act 1971) pursuant to leave to enter given under subsection (7), that person is deemed to have made a protection claim in the United Kingdom.
- (9) In this section—
- “appropriate decision-maker” means a person authorised by the Secretary of State by rules made under section 3 of the Immigration Act 1971 to grant an entry clearance under paragraph (1);
 - “entry clearance” has the same meaning as in section 33(1) of the Immigration Act 1971;
 - “persecution” is to be construed in accordance with its meaning in the Refugee Convention;
 - “protection claim” in relation to a person, means a claim that to remove them from or require them to leave the United Kingdom would be inconsistent with the United Kingdom’s obligations—
 - (a) under the Convention relating to the Status of Refugees done at Geneva on 28th July 1951 and the Protocol to that Convention (“the Refugee Convention”);
 - (b) in relation to persons entitled to a grant of humanitarian protection; or
 - (c) under Article 2 or 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms agreed by the Council of Europe at Rome on 4th November 1950 (“the European Convention on Human Rights”); and
 - “serious harm” means treatment that, if it occurred within the jurisdiction of the United Kingdom, would be contrary to the United Kingdom's obligations under Article 2 or 3 of the European Convention on Human Rights (irrespective of where it will actually occur).”

To move the following Clause—

“Impact assessment

The Secretary of State must lay before Parliament an impact assessment regarding the expected effectiveness of the changes made by this Act in stopping, or reducing the number of, Channel crossings from France by asylum seekers.”

Mr Alistair Carmichael

NC6

Tim Farron

☆ To move the following Clause—

“Safe Passage Pilot Scheme

- (1) The Secretary of State must by regulations made by statutory instrument establish a humanitarian travel permit scheme.
- (2) The scheme under this section must come into operation within 3 months of the date on which this Act is passed and must remain in operation for at least 12 months.
- (3) The scheme under this section must permit persons from designated countries or territories (see subsections (3) and (4) below) to enter the United Kingdom for the purpose of making a claim for asylum immediately on their arrival in the United Kingdom.
- (4) The regulations under subsection (1) must designate countries or territories from which nationals or citizens may be considered for humanitarian permits under this section.
- (5) Countries or territories designated under subsection (4) may include only countries or territories from which the proportion of decided asylum claims which have been upheld in the United Kingdom in the 5 years before the date on which this Act is passed is at least 80 per cent.
- (6) Regulations made under subsection (1) are subject to annulment by resolution of either House of Parliament.
- (7) The Secretary of State must lay before Parliament an evaluation of the humanitarian travel permit scheme under this section not later than 15 months from the date on which this Act is passed.”

Mr Alistair Carmichael

NC7

Tim Farron

☆ To move the following Clause—

“Refugee family reunion

- (1) The Secretary of State must, within 6 months of the date on which this Act is passed, lay before Parliament a statement of changes in the rules (the “immigration rules”) under section 3(2) of the Immigration Act 1971 (general provisions for regulation and control) to make provision for refugee family reunion, in accordance with this section, to come into effect after 21 days.
- (2) Before a statement of changes is laid under subsection (1), the Secretary of State must consult with persons as the Secretary of State deems appropriate.
- (3) The statement laid under subsection (1) must set out rules providing for leave to enter and remain in the United Kingdom for family members of a person granted refugee status or humanitarian protection.
- (4) In this section, “refugee status” and “humanitarian protection” have the same meaning as in the immigration rules.
- (5) In this section, “family members” include—
 - (a) a person's parent, including adoptive parent;
 - (b) a person's spouse, civil partner or unmarried partner;
 - (c) a person's child, including adopted child, who is either—
 - (i) under the age of 18, or
 - (ii) under the age of 25 but was either under the age of 18 or unmarried at the time the person granted asylum left their country of residence to seek asylum;
 - (d) a person's sibling, including adoptive sibling, who is either—
 - (i) under the age of 18, or
 - (ii) under the age of 25, but was either under the age of 18 or unmarried at the time the person granted asylum left their country of residence to seek asylum; and
 - (e) such other persons as the Secretary of State may determine, having regard to—
 - (i) the importance of maintaining family unity,
 - (ii) the best interests of a child,
 - (iii) the physical, emotional, psychological or financial dependency between a person granted refugee status or humanitarian protection and another person,
 - (iv) any risk to the physical, emotional or psychological wellbeing of a person who was granted refugee status or humanitarian protection, including from the circumstances in which the person is living in the United Kingdom, or
 - (v) such other matters as the Secretary of State considers appropriate.
- (6) For the purpose of subsection (5)—
 - (a) “adopted” and “adoptive” refer to a relationship resulting from adoption, including de facto adoption, as set out in the immigration rules;

- (b) “best interests” of a child must be read in accordance with Article 3 of the 1989 UN Convention on the Rights of the Child.”

Member's explanatory statement

This new clause would make provision for leave to enter or remain in the UK to be granted to the family members of refugees and of people granted humanitarian protection.

Mr Alistair Carmichael

NC8

Tim Farron

☆ To move the following Clause—

“Immigration rules since December 2020: report on effects

- (1) Before bringing any provisions of this Act into force by regulations, the Secretary of State must commission and lay before Parliament an independent report on the effects of its immigration rules on the UK economy and public services since December 2020.
- (2) The areas to be covered by the report must include but are not limited to—
- (a) food supply;
 - (b) fuel supply;
 - (c) hospitality and tourism;
 - (d) the NHS;
 - (e) social care; and
 - (f) construction.”

Member's explanatory statement

This new clause would require the Government to commission and publish an independent report on the effects of its Immigration Rules on the UK economy and public services since December 2020.

Mr Alistair Carmichael

NC9

Tim Farron

☆ To move the following Clause—

“Operational efficiency

- (1) Within six months of the date on which this Act is passed the Secretary of State must commission a management review, to be undertaken by management experts outside the Home Office, of—
- (a) the efficiency of the processing by UK Visas and Immigration of applications, and
 - (b) the efficiency of the removal by Immigration Control of persons whose leave to remain has expired.
- (2) For the purposes of this section—

- (a) “efficiency” includes fairness, and
- (b) the review must include information regarding the numbers of appeals and their success rate.”

Member's explanatory statement

This new clause requires the Secretary of State to commission an independent management review of the efficiency of UK Visas and Immigration in processing applications and the efficiency of the removal process for those whose leave to remain has expired.

Olivia Blake

NC10

Andrew Western
Dawn Butler
Layla Moran
Bell Ribeiro-Addy
Nadia Whittome

Charlotte Nichols
John McDonnell
Apsana Begum
Mick Whitley

Ian Byrne
Lloyd Russell-Moyle
Zarah Sultana
Kate Osborne

Andy McDonald
Ms Diane Abbott
Beth Winter

★ To move the following Clause—

“Safe passage visa scheme

- (1) Within three months of the passing of this Act, the Secretary of State must lay before Parliament statements of changes to the immigration rules to make provision for a safe passage visa scheme (referred to in the remainder of this section as the “scheme”).
- (2) The purpose of the scheme referred to in subsection (1) is to enable a qualifying person to travel safely to the United Kingdom in order to make an application for asylum (within the meaning given by paragraph 327 of the immigration rules) or a claim for humanitarian protection (within the meaning given by paragraph 327EA of the immigration rules).
- (3) A person is a “qualifying person” for the purposes of subsection (2) if the person—
 - (a) is present in a member State of the European Union when the person makes an application to the scheme;
 - (b) is not a national of a member State of the European Union, Liechtenstein, Norway or Switzerland; and
 - (c) would, on securing entry to the United Kingdom, be able to make—
 - (i) a valid application for asylum in accordance with paragraph 327AB of the immigration rules; or
 - (ii) a valid claim for humanitarian protection in accordance with paragraph 327EB of the immigration rules, which would not be clearly unfounded.
- (4) For the purposes of determining whether the conditions in subsection (3)(c) above are satisfied, the following are disappplied—

- (a) the conditions in subsections (4) and (5) of section 80C of the Nationality, Immigration and Asylum Act 2002; and
 - (b) the duty in section 2(1) of this Act.
- (5) Changes to the immigration rules made under this section must also make provision for—
- (a) applications to the scheme, including—
 - (i) identification of the relevant gov.uk webpage through which applications must be made;
 - (ii) the provision of relevant biometric data by the person;
 - (iii) the supplying of relevant information and supporting documentation related to applications;
 - (iv) confirmation that applications will be without cost to applicants; and
 - (v) provision for legal aid in relation to applications made to the scheme;
 - (b) any additional suitability requirements for applications to the scheme, including matters referred to in Part 9 of the immigration rules;
 - (c) entry requirements for those granted entry clearance under the scheme, including the requirement that the person be provided with a letter by the Secretary of State confirming that the person can enter the United Kingdom;
 - (d) limitations on the entry clearance granted under the scheme, including provision that clearance is provided solely to enable the person to make an application for asylum or a claim for humanitarian protection and requiring that such an application or claim be made immediately on entry into the United Kingdom; and
 - (e) appeal rights for those denied entry clearance under the scheme, including legal aid to be made available for persons making such appeals.
- (6) The scheme referred to in this section is to be specified as a “safe and legal route” for the purposes of regulations referred to in section 51(6) of this Act.
- (7) In this section “immigration rules” means rules under section 3(2) of the Immigration Act 1971.”

CLAUSE 1

Mr Alistair Carmichael

62

Tim Farron

Clause 1, page 2, line 1, leave out paragraph (d)

Member's explanatory statement

This amendment is consequential on deleting clauses 21 to 28 relating to modern slavery.

Stephen Kinnock

1

Clause 1, page 2, line 28, leave out subsection (5)

Member's explanatory statement

This amendment would remove the subsection which disapplies section 3 of the Human Rights Act 1998.

Order of the House

[13 March 2023]

That the following provisions shall apply to the Illegal Migration Bill:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee of the whole House, on Consideration and on Third Reading

2. Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings on Third Reading shall be completed in three days.
3. Proceedings in Committee—
 - (a) shall be taken on each of the first and second days in the order shown in the first column of the following Table, and
 - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings

Time for conclusion of proceedings

First day

Clauses 37 to 51; new Clauses and new Schedules relating to the subject matter of those clauses

Six hours after the commencement of proceedings on the Bill on the first day.

Second day

Clauses 2 to 5; the Schedule; Clauses 6 to 36 and 52 to 58; remaining new Clauses and new Schedules; Clause 1; remaining proceedings on the Bill

Six hours after the commencement of proceedings on the Bill on the second day.

4. Any proceedings on Consideration and proceedings on Third Reading shall be taken on the third day in accordance with the following provisions of this Order.

5. Any proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the third day.
6. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

Programming committee

7. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to proceedings on Third Reading.

Other proceedings

8. Any other proceedings on the Bill may be programmed.
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Withdrawn Amendments

The following amendments were withdrawn on 14 March 2023:

3, 4, 5, 7, 8, 10, 11, 14, 19, 20, 22, 23, 28, 29, 30, 31, 39, 40, 43, 44, 45, 46 and 47

The following amendments were withdrawn on 15 March 2023:

12, 16, 25, 26, 27, 32, 33, 34, 35, 36, 37, 38, 48 and 49