
Committee Stage: Friday 28 February 2025

Border Security, Asylum and Immigration Bill (Amendment Paper)

This document lists all amendments tabled to the Border Security, Asylum and Immigration 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 Any withdrawn amendments are listed at the end of the document.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: 9 to 19 and NC6 to NC26

Matt Vickers

10

Katie Lam
Sarah Bool

★ Clause 1, page 1, line 6, leave out “designate a civil servant as the” and insert “appoint a”

Member's explanatory statement

This amendment would remove the requirement for the Border Security Commander to be a civil servant.

Pete Wishart

1

Clause 3, page 2, line 29, at end insert—

“(1A) In exercising the Commander’s functions, the Commander must have full regard to the provisions of—

- (a) the Human Rights Act 1998; and
- (b) the Council of Europe Convention on Action against Trafficking in Human Beings.”

Member's explanatory statement

This amendment would confirm that the Commander must have full regard to the Human Rights Act and the European Convention on Action against Trafficking.

Matt Vickers

12

Katie Lam
Sarah Bool

★ Clause 3, page 2, line 36, at end insert—

“(2A) The strategic priority document issued under subsection (2) must support the Home Office’s UK Border Strategy.”

Member's explanatory statement

This amendment would require that the Border Security Commander’s strategic priority document supports the UK Border Strategy.

Matt Vickers

13

Katie Lam
Sarah Bool

★ Clause 3, page 2, line 36, at end insert—

“(2A) The Home Secretary may give direction to Border Force, Immigration Enforcement, Police and Crime Commissioners (PCCs) and the National Crime Agency to support the Border Security Commander in the delivery of the Border Security Commander’s objectives and strategic priorities.

(2B) The Home Secretary’s powers under subsection (2A) must not be used to interfere with the democratic mandate of the PCC within a force area, nor seek to interfere with the office of constable or operational independence of the chief constable or the operational independence of the National Crime Agency, unless the Home Secretary is satisfied on the advice of HMICFRS that not to do so would result in a police force of the National Crime Agency failing or national security being compromised.”

Member's explanatory statement

This amendment would enable the Home Secretary to direct other agencies to support the Border Security Commander’s objectives and strategic priorities.

Matt Vickers

11

Katie Lam
Sarah Bool

★ Clause 3, page 2, line 41, leave out subsection (b)

Member's explanatory statement

This amendment would remove the requirement for the Border Security Commander to obtain the consent of the Secretary of State before issuing the strategic priority document.

Pete Wishart

2

Clause 4, page 3, line 37, at end insert—

- “(c) set out how the Commander has fulfilled the Commander’s duties under section 3(1A) of this Act to have full regard to the Human Rights Act 1998 and the Council of Europe Convention on Action against Trafficking in Human Beings.”

Member's explanatory statement

This amendment is linked to and consequential upon Amendment 1, and would require the Commander to include in the annual report information about how they have paid due regard to the Human Rights Act and the European Convention on Action against Trafficking.

Matt Vickers

14

Katie Lam
Sarah Bool

★ Clause 4, page 3, line 37, at end insert—

- “(c) state the number of persons who have, since the later of the passing of this Act or the last annual report, been—
- (i) charged with offences under sections 13, 14, 18, and 43 of this Act; or
 - (ii) convicted of offences under sections 13, 14, 18, and 43 of this Act;
 - (iii) identified as entering the United Kingdom via sea crossing without leave to remain;
 - (iv) detained pending deportation or a decision on deportation;
 - (v) deported to a country of which the person is a national or citizen; or
 - (vi) deported to a country or territory to which there is reason to believe that the person will be admitted.”

Member's explanatory statement

This amendment would place a duty on the Border Security Commander to include, in their annual report, figures on immigration crime, sea crossings, detentions and deportations.

Pete Wishart

3

Clause 13, page 7, line 12, at end insert—

- “(1A) For the purposes of subsection (1), P cannot commit an offence if P is an asylum seeker.”

Member's explanatory statement

This amendment would specify that the offence created by clause 13 ("Supplying articles for use in immigration crime") cannot apply to asylum seekers.

Pete Wishart

4

Clause 14, page 8, line 11, at end insert—

"(2A) For the purposes of subsection (1), P cannot commit an offence if P is an asylum seeker."

Member's explanatory statement

This amendment would specify that the offence created by clause 14 ("Handling articles for use in immigration crime") cannot apply to asylum seekers.

Matt Vickers

17

Katie Lam
Sarah Bool

★ Clause 18, page 11, leave out lines 24 to 26 and insert—

"(c) the vessel in which the person travelled could not reasonably have been thought to be safe for the purposes of reaching the United Kingdom."

Member's explanatory statement

This amendment would apply the new offence of endangering another during a sea crossing to the UK to any individual who tries to enter the UK illegally and makes their journey in an un-seaworthy vessel, removing the requirement for the individual to have done an act to cause or create a risk of death or serious injury.

Pete Wishart

5

Clause 18, page 11, line 36, at end insert—

"(E1C) (a) For the purposes of subsections (E1A) and (E1B), a person cannot commit an offence if the person is an asylum seeker.
(b) For the purposes of this subsection, "asylum seeker" means a person who intends to claim that to remove them from or require them to leave the United Kingdom would be contrary to the United Kingdom's obligations under—
(i) the Refugee Convention (within the meaning given by section 167(1) of the Immigration and Asylum Act 1999), or
(ii) the Human Rights Convention (within the meaning given by that 35 section)."

Member's explanatory statement

This amendment would specify that the offence created by clause 18 ("Endangering another during sea crossing to United Kingdom") cannot apply to asylum seekers.

Matt Vickers

15

Katie Lam
Sarah Bool

★ Clause 18, page 12, line 5, leave out "six" and insert "fourteen"

Member's explanatory statement

This amendment would increase the maximum penalty for the offence of endangering lives at sea to fourteen years.

Matt Vickers

16

Katie Lam
Sarah Bool

★ Clause 18, page 12, line 9, leave out "five" and insert "fourteen"

Member's explanatory statement

This amendment would increase the maximum penalty for the offence of endangering lives at sea to fourteen years.

Pete Wishart

6

Page 13, line 1, leave out Clauses 19 to 26

Matt Vickers

18

Katie Lam
Sarah Bool

★ Page 30, line 29, leave out Clause 37

Member's explanatory statement

This amendment would remove the clause relating to the repeal of immigration legislation.

Lisa Smart

9

Susan Murray
Mr Will Forster

★ Clause 38, page 31, line 1, leave out "28" and insert "29"

Member's explanatory statement

This amendment would repeal section 29 of the Illegal Immigration Act 2024, which requires the Secretary of State to remove people who have sought to use modern slavery protections in “bad faith”.

Pete Wishart

8

Page 30, line 31, leave out Clause 38

Member's explanatory statement

This amendment would remove clause 38. NC2 is intended to replace clause 38.

Matt Vickers

19

Katie Lam
Sarah Bool

★ Page 31, line 9, leave out Clause 39

Member's explanatory statement

This amendment would remove the clause relating to the repeal of immigration legislation.

Pete Wishart

7

Clause 41, page 35, line 32, leave out subsection (17)

Member's explanatory statement

This amendment would leave out the subsection of this clause that applies subsections (1) to (13) (relating to detention and exercise of functions pending deportation) retrospectively, i.e. as if they have always had effect.

Pete Wishart

NC1

To move the following Clause—

“Duty to publish a strategy on safe and managed routes

- (1) The Secretary of State must, within six months of the passing of this Act, publish a strategy on the Government’s efforts to establish additional safe and legal routes for persons to seek asylum in the United Kingdom.
- (2) A report under subsection (1) must be laid before Parliament.”

Member's explanatory statement

This new clause would require the Secretary of State to publish and lay before Parliament a strategy on the development of safe and managed routes for people to seek asylum in the UK.

Pete Wishart

NC2

To move the following Clause—

“Repeal of the Illegal Migration Act 2023

The Illegal Migration Act 2023 is repealed.”

Member's explanatory statement

This new clause would repeal the Illegal Migration Act in full. In combination with Amendment 8 to leave out clause 38, it would replace the selective repeal in the Bill with a full repeal.

Pete Wishart

NC3

☆ To move the following Clause—

“Scottish visa scheme: Scotland Act

In Schedule 5 of the Scotland Act 1998, in section B6 of Head B (Home Affairs), at end insert—

“Exception 1

The granting of visas to enable certain workers to work in Scotland only.””

Member's explanatory statement

This new clause would remove the granting of visas for certain workers in Scotland from reserved matters.

Pete Wishart

NC4

☆ To move the following Clause—

“Scottish visa scheme: immigration rules

- (1) Within six months of the passing of this Act, the Secretary of State must by immigration rules provide for the establishment of a Scottish visa scheme.
- (2) A scheme established under subsection (1) must be administered under the executive competence of Scottish Ministers.
- (3) No scheme may be established under subsection (1) until consent has been given by Scottish Ministers with respect of the criteria, extent and duration of the scheme.”

Member's explanatory statement

In conjunction with NC3, this new clause would require the Secretary of State to provide for a Scottish visa scheme administered under the executive competence of Scottish Ministers.

Pete Wishart

NC5

☆ To move the following Clause—

“British citizenship

- (1) The Secretary of State must, within three months of the passing of this Act—
- (a) ensure that illegal entry to the UK is disregarded as a factor for the purposes of assessing whether a person applying for British citizenship meets the good character requirement; and
 - (b) ensure that all asylum seekers with—
 - (i) indefinite leave to remain in the United Kingdom;
 - (ii) settled status; or
 - (iii) indefinite leave to enter the United Kingdom;have a right to naturalisation after five years of residency in the United Kingdom, regardless of their country of origin or method of arrival.”

Member's explanatory statement

This new clause would require the Secretary of State to change current Home Office guidance stating that people who enter the UK illegally, regardless of how long ago, will "normally be refused" citizenship (if they applied after 10 February 2025).

Lisa Smart

NC6

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Additional safe and legal routes

The Secretary of State must, within six months of the passage of this Act, make regulations specifying safe and legal routes through which refugees and other individuals requiring international protection can enter the UK lawfully.”

Member's explanatory statement

This new clause would require the Secretary of State to make regulations specifying additional safe and legal routes, under which refugees and others in need of international protection can come to the UK lawfully from abroad.

Lisa Smart

NC7

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Duty to meet the director of Europol

The Border Commander must meet the director of Europol, or their delegate, no less than once every three months.”

Member's explanatory statement

This new clause would require the Border Commander to meet with the Executive Director of Europol every three months.

Lisa Smart

NC8

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Duty to establish a joint taskforce with Europol

- (1) The Secretary of State must seek to establish a joint taskforce with Europol for the purposes of cooperation on the matters set out under subsection (3).
- (2) The Secretary of State must, within six months of the passage of this Act, make a report to Parliament on progress made to date on establishing a joint taskforce under subsection (1).
- (3) Any joint taskforce established pursuant to the Secretary of State's activities under subsection (1) has a duty to promote cooperation on—

- (a) the disruption of trafficking operations;
- (b) the enhancement of law enforcement capabilities;
- (c) the provision of specialised training for officials involved in border security and immigration enforcement; and
- (d) any other matters which the Secretary of State or Director of Europol deem appropriate."

Member's explanatory statement

This new clause would require the Secretary of State to seek a joint taskforce with Europol for the purposes of disrupting trafficking operations, enhancing law enforcement capabilities, and providing specialised training to officials involved in border security and immigration enforcement.

Lisa Smart

NC9

Susan Murray
Mr Will Forster

★ To move the following Clause—

"Participation in Europol's anti-trafficking operations

- (1) The Secretary of State must provide adequate resources to law enforcement agencies for the purpose of enhancing their participation in Europol's anti-trafficking operations.
- (2) The resources provided under subsection (1) must include technology for conducting improved surveillance on, and detection of, smuggling networks.
- (3) For the purposes of subsection (1), "law enforcement agencies" include—
 - (a) the National Crime Agency
 - (b) police forces in England and Wales; and
 - (c) the British Transport Police."

Member's explanatory statement

This new clause would require the Government to allocate adequate resources to law enforcement agencies to enhance their participation in Europol's anti-trafficking operations, including through technological tools for better surveillance and detection of smuggling networks.

Lisa Smart

NC10

Susan Murray
Mr Will Forster

★ To move the following Clause—

"Requirement to produce an annual report on cooperation with Europol

- (1) The Secretary of State must, within one year of the passage of this Act, lay before Parliament an annual report on cooperation between UK law enforcement agencies and Europol.

- (2) A further report must be published and laid before Parliament at least once per year.
- (3) An annual report under this section must include—
 - (a) actions taken during the previous year to cooperate with Europol;
 - (b) progress in reducing people smuggling and human trafficking; and
 - (c) planned activities for improving future cooperation with Europol.”

Member's explanatory statement

This new clause would require the Government to provide an annual report to Parliament detailing the UK's efforts to cooperate with Europol, its progress in reducing levels of people smuggling and human trafficking, and its plans to improve future cooperation.

Lisa Smart

NC11

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Removal of restrictions on asylum seekers engaging in employment

- (1) The Secretary of State must, within six 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 asylum applicants to take up employment whilst their application is being determined, if it has been over three months since the application was made, with no decision made.
- (2) Employment undertaken pursuant to subsection (1) is subject to the following restrictions—
 - (a) employment may only be taken up in a post which is, at the time an offer of employment is accepted, included in Appendix Immigration Salary List;
 - (b) there must be no work in a self-employed capacity; and
 - (c) there must be no engagement in setting up a business.”

Member's explanatory statement

This new clause would remove the restriction on working for asylum seekers, if it has been over three months since they applied.

Lisa Smart

NC12

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Reuniting unaccompanied child refugees with family members

- (1) Within six months of the passing of this Act, the Secretary of State must by immigration rules make the changes set out in subsections (2) to (6).
- (2) The requirements to be met by a person seeking leave to enter the United Kingdom as a child relative of a person or persons given limited leave to enter or remain in the United Kingdom, as a refugee or beneficiary of humanitarian protection, are that the applicant—
 - (a) is the child, grandchild, sister, brother, nephew or niece of a person or persons granted limited leave to enter or remain as a refugee or beneficiary of humanitarian protection granted as such under the immigration rules; and
 - (b) is under the age of 18, and
 - (c) can, and will, be accommodated adequately by the person or persons the child is seeking to join without recourse to public funds in accommodation which the person or persons the child is seeking to join, own or occupy exclusively; and
 - (d) can, and will, be maintained adequately by the person or persons the child is seeking to join, without recourse to public funds; and
 - (e) if seeking leave to enter, holds a valid United Kingdom entry clearance for entry in this capacity.
- (3) the requirements to be met by a person seeking leave to enter or remain in the United Kingdom as the close relative of a child with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection are that the applicant is—
 - (a) a parent, grandparent, sister, brother, aunt or uncle of a child with limited leave to enter or remain in the United Kingdom as a refugee or beneficiary of humanitarian protection; and
 - (b) joining a refugee or beneficiary of humanitarian protection with limited leave to enter or remain in the United Kingdom who is under the age of 18 and not living with a parent or grandparent; and
 - (c) can, and will, be accommodated adequately, together with any dependants, without recourse to public funds.
- (4) Limited leave to enter the United Kingdom as an applicant under subsection (2) or (3) may be granted for five years provided that, on arrival, a valid passport or other identity document is produced to the Immigration Officer and the applicant has entry clearance for entry in this capacity. Limited leave to remain in the United Kingdom as an applicant under subsections (2) or (3) may be granted provided the Secretary of State is satisfied that each of the requirements of subsections (2) or (3) is met.
- (5) Limited leave to enter the United Kingdom as an applicant under subsection (2) or (3) is to be refused if, on arrival, a valid passport or other identity document is not produced to the Immigration Officer and the applicant does not have entry clearance for entry in this capacity. Limited leave to remain in the United Kingdom as an applicant under subsection (2) or (3) is to be refused

if the Secretary of State is not satisfied that each of the requirements of subsections (2) or (3) is met.

- (6) Civil legal services are provided to an applicant under subsections (2) or (3) in relation to rights to enter, and to remain in, the United Kingdom pursuant to schedule 1, subsection 30(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.”

Member's explanatory statement

This new clause would require the Secretary of State, by a statement of changes to the immigration rules, to extend the family members that could apply to join an unaccompanied child refugee in the UK, to include parents, grandparents, sisters, brothers, uncles and aunts, and to allow unaccompanied child refugees to sponsor close adult family members to join them in the UK. It would also provide for legal aid to be available in such cases.

Lisa Smart

NC13

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Good character requirement: illegal entry

The Secretary of State must, within three months of the passing of this Act, ensure that illegal entry to the UK is disregarded as a factor for the purposes of assessing whether a person applying for British citizenship meets the good character requirement.”

Member's explanatory statement

This new clause would require the Secretary of State to change current Home Office guidance stating that individuals who enter the UK illegally, regardless of how long ago, will "normally be refused" citizenship (if they applied after 10 February 2025).

Lisa Smart

NC14

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Report on impact of carers’ minimum wage on net migration

The Secretary of State must, within 12 months of the passing of this Act, lay before Parliament a report on the impact of introducing a minimum wage for carers on levels of net migration.”

Member's explanatory statement

This new clause would require the Government to publish a report on the impact of implementing a carers’ minimum wage on levels of net migration.

Lisa Smart

NC15

Susan Murray
Mr Will Forster

★ To move the following Clause—

“A three-month service standard for asylum casework

- (1) The Secretary of State must, within six months of the passing of this Act, implement a three-month service standard for asylum casework.
- (2) The service standard must specify that 98% of initial decisions on all asylum claims should be made before the end of three months after the date of claim.”

Member's explanatory statement

This new clause would require UK Visas and Immigration to reintroduce a three-month service standard for decisions on asylum cases.

Lisa Smart

NC16

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Exemption of NHS workers from immigration skills charge

The Secretary of State must, within six months of the passing of this Act, implement an exemption for National Health Service workers from the immigration skills charge for sponsoring a Skilled Worker or a Senior or Specialist worker.”

Member's explanatory statement

This new clause would require the Secretary of State to apply an exception to the NHS as an employer from having to pay the immigration skills charge when sponsoring skilled employees.

Lisa Smart

NC17

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Repeal of certain provisions of the Nationality and Borders Act 2022

The following provisions of the Nationality and Borders Act 2022 are repealed—
(a) sections 10 to 65; and
(b) sections 68 and 69.”

Member's explanatory statement

This new clause would repeal specified provisions of the Nationality and Borders Act 2022.

Lisa Smart

NC18

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Council of Europe Convention on Action against Trafficking in Human Beings

The Secretary of State must—

- (a) within six months of the passing of this Act, introduce legislation to ensure the United Kingdom’s full compliance with the 2009 Council of Europe Convention on Action against Trafficking in Human Beings; and
- (b) within eighteen months of the passing of this Act, lay before Parliament a report on how the Government is ensuring full compliance with the Convention under this section.”

Member's explanatory statement

This new clause would require the Secretary of State to introduce legislation which incorporates the Council of Europe Convention on Action against Trafficking in Human Beings into UK law and report on compliance with the Convention.

Lisa Smart

NC19

Susan Murray
Mr Will Forster

★ To move the following Clause—

“Victims of slavery or human trafficking: protection from immigration offences

- (1) The Modern Slavery Act 2015 is amended as follows.
- (2) In section 52 (Duty to notify Secretary of State about suspected victims of slavery or human trafficking), after subsection (2), insert—
 - “(2A) The Secretary of State must make such arrangements as the Secretary of State considers reasonable to ensure that notification under this section does not include the supply of information to relevant persons or authorities that might indicate that—
 - (a) the victim has committed an offence under sections 24 to 26 of the Immigration Act, or
 - (b) the victim might otherwise meet the requirements for removal from the United Kingdom or for investigation pending removal.
 - (2B) For the purposes of subsection (2A), “relevant persons or authorities” include—
 - (a) a Minister of the Crown or a government department;

- (b) an immigration officer;
- (c) a customs official;
- (d) a law enforcement officer;
- (e) the Director of Border Revenue;
- (f) the Border Security Commander;
- (g) a UK authorised person; and
- (h) the government of a country or territory outside the United Kingdom.””

Member's explanatory statement

This new clause would prevent a public authority, when determining whether a person is a victim of slavery or human trafficking, from sharing information with immigration authorities and other public authorities that might result in deportation or prosecution for an immigration offence.

Lisa Smart

NC20

Susan Murray
Mr Will Forster

★ 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) For the purposes of this section—
- (a) “appropriate decision making” 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);
 - (b) “entry clearance” has the same meaning as in section 33(1) of the Immigration Act 1971;
 - (c) “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—
 - (i) 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”);
 - (ii) in relation to persons entitled to a grant of humanitarian protection; or
 - (iii) 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”);
 - (d) “persecution” is defined in accordance the Refugee Convention; and
 - (e) “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).”

Member's explanatory statement

This new clause would create a new “humanitarian travel permit”.

Matt Vickers

Katie Lam
Sarah Bool

NC21

★ To move the following Clause—

“Functions of the Commander in relation to sea crossings to United Kingdom

- (1) In exercising the Commander’s functions in relation to sea crossings to the United Kingdom, the Commander must have regard to the objectives of—
 - (a) preventing the boarding of vessels, with the aim of entering the United Kingdom, by persons who require leave to enter the United Kingdom but are seeking to enter the United Kingdom—
 - (i) without leave to enter, or
 - (ii) with leave to enter that was obtained by means which included deception by any person;
 - (b) ensuring that a decision is taken on a claim by a person under subsection (1)(a) within six months of the person’s arrival in the United Kingdom; and
 - (c) making arrangements with a safe third country for the removal of a person who enters the United Kingdom without leave, or with leave that was obtained by deception.
- (2) The Commander must include, in the strategic priority document issued under section 3(2), an assessment of—
 - (a) the most effective methods for deterring illegal entry into the United Kingdom;
 - (b) the most effective methods for reducing the number of sea crossings made by individuals without leave to enter the United Kingdom; and
 - (c) the most effective methods for arranging the removal, to the person’s own country or a safe third country, of a person who enters the United Kingdom illegally.
- (3) For the purposes of this section—
 - (a) “sea crossings” are journeys from dry land in France, Belgium or the Netherlands for the purpose of reaching dry land in the United Kingdom; and
 - (b) illegal entry to the United Kingdom is defined in accordance with section 24 of the Immigration Act 1971 (illegal entry and similar offences).”

Member's explanatory statement

This new clause sets out objectives and strategic priorities for the Border Security Commander in relation to sea crossings and arrangements with a safe third country for the removal of people who enter the UK illegally.

Matt Vickers

NC22

Katie Lam
Sarah Bool

★ To move the following Clause—

“Access to mobile phone location data

- (1) The Investigatory Powers Act 2016 is amended as follows.

- (2) In section 86 (Part 3: interpretation), after subsection (2A)(b), insert—
“(c) illegal immigration.”
- (3) The Immigration Act 2016 is amended as follows.
- (4) In paragraph 4 of Schedule 10, (electronic monitoring condition), after subsection (2)(d) insert—
“(e) involve the tracking of P using P’s mobile phone location data.”

Member's explanatory statement

This new clause would allow law enforcement to access mobile phone location data of people who enter the UK illegally.

Matt Vickers

NC23

Katie Lam
Sarah Bool

★ To move the following Clause—

“Exemptions from the UK GDPR: illegal migration and foreign criminals

- (1) The Data Protection Act 2018 is amended as follows.
- (2) In subsection (2)(b) of section 15 (Exemptions etc), at end insert “, and makes provision about the exemption from all GDPR provisions of persons who entered the United Kingdom illegally and foreign criminals;
- (3) In paragraph (2) of Schedule 2, after sub-paragraph (1) insert—
“(1A) GDPR provisions do not apply if the data subject entered the United Kingdom illegally or is a foreign criminal.

(1B) For the purposes of sub-paragraph (1A)—
 - (a) a person “entered the United Kingdom illegally” if they entered the United Kingdom—
 - (i) without leave to enter, or
 - (ii) with leave to enter that was obtained by means which included deception by any person; and
 - (b) “foreign criminal” is defined in accordance with section 32 of the UK Borders Act 2007.”””

Member's explanatory statement

This new clause would disapply data protection laws from data on people who have entered the UK illegally or are Foreign National Offenders.

Matt Vickers

NC24

Katie Lam
Sarah Bool

★ To move the following Clause—

“Immigration Tribunal: hearings in public

- (1) The Nationality, Immigration and Asylum Act 2002 is amended as follows.
- (2) In Schedule 5, after subsection 5, insert—
 - “(5A) All hearings of the Tribunal must be heard in public, and all decisions delivered in public.””

Member's explanatory statement

This new clause would require all rulings in the Lower Tier immigration tribunal to be heard in public.

Matt Vickers

NC25

Katie Lam
Sarah Bool

★ To move the following Clause—

“Qualification period for Indefinite Leave to Remain in the United Kingdom

- (1) The minimum qualification period for applications for indefinite leave to remain in the United Kingdom is a period of ten years.
- (2) The qualification period in subsection (1) applies to a person who has—
 - (a) a tier 2, T2, International Sportsperson or Skilled Worker visa,
 - (b) a Scale-up Worker visa,
 - (c) a Global Talent, Tier 1 Entrepreneur or Investor visa,
 - (d) an Innovator Founder visa,
 - (e) a UK Ancestry visa, or
 - (f) a partner holding UK citizenship.
- (3) A person who has lived in the United Kingdom for ten years or more but does not meet the criteria in subsection (2) cannot apply for indefinite leave to remain in the United Kingdom.”

Member's explanatory statement

This new clause would extend the qualification period for applying for Indefinite Leave to Remain in the UK to ten years and abolish the long-stay route, through which a person can apply for Indefinite Leave to Remain based solely on having lived in the UK for ten years or more.

Matt Vickers

NC26

Katie Lam
Sarah Bool

★ To move the following Clause—

“Age assessments: use of scientific methods

The Secretary of State must, within six months of the passing of this Act, lay before Parliament—

- (a) a statutory instrument containing regulations under section 52 of the Nationality and Borders Act 2022 specifying scientific methods that may be used for the purposes of age assessments, and
- (b) a statutory instrument containing regulations under section 58 of the Illegal Migration Act 2023 making provision about refusal to consent to scientific methods for age assessments.”

Member's explanatory statement

This new clause would require the Secretary of State to make regulations to specify scientific methods for assessing a person's age and to disapply the requirement for consent for scientific methods to be used.

Order of the House

[10 February 2025]

That the following provisions shall apply to the Border Security, Asylum and Immigration Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 20 March 2025.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.

Order of the Committee

[27 February 2025]

That—

1. the Committee shall (in addition to its first meeting at 11.30 am on Thursday 27 February) meet—
 - (a) at 2.00 pm on Thursday 27 February;
 - (b) at 9.25 am and 2.00 pm on Tuesday 4 March;
 - (c) at 11.30 am and 2.00 pm on Thursday 6 March;
 - (d) at 9.25 am and 2.00 pm on Tuesday 11 March;
 - (e) at 11.30 am and 2.00 pm on Thursday 13 March;
 - (f) at 9.25 am and 2.00 pm on Tuesday 18 March;
 - (g) at 11.30 am and 2.00 pm on Thursday 20 March;
2. the Committee shall hear oral evidence in accordance with the following Table:

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 27 February	Until no later than 12.10 pm	Refugee Council, Scottish Refugee Council, British Red Cross
Thursday 27 February	Until no later than 12.40 pm	Immigration Law Practitioners' Association, Migration Observatory
Thursday 27 February	Until no later than 1.00 pm	The Children's Commissioner for England and Wales
Thursday 27 February	Until no later than 2.40 pm	National Police Chiefs' Council, National Crime Agency, Crown Prosecution Service
Thursday 27 February	Until no later than 3.20 pm	Migration Watch, Tony Smith, former Director, UK Border Force, Centre for Policy Studies
Thursday 27 February	Until no later than 3.40 pm	David Coleman, Emeritus Professor of Demography, University of Oxford
Thursday 27 February	Until no later than 4.00 pm	Professor Brian Bell, Professor of Economics, King's College London

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 27 February	Until no later than 4.20 pm	Home Office

3. proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 40; Schedule 1; Clauses 41 to 47; Schedule 2; Clauses 48 to 57; new Clauses; new Schedules; remaining proceedings on the Bill;
4. the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 20 March.