

# Modern Slavery Bill

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## COMMONS DISAGREEMENT AND AMENDMENTS IN LIEU

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[The page and line references are to HL Bill 51, the bill as first printed for the Lords.]

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### After Clause 50

72 Insert the following new Clause –

#### **“Protection from slavery for overseas domestic workers**

All overseas domestic workers in the United Kingdom, including those working for staff of diplomatic missions, shall be entitled to –

- (a) change their employer (but not work sector) while in the United Kingdom;
- (b) renew their domestic worker or diplomatic domestic worker visa, each such renewal being for a period not exceeding twelve months, as long as they remain in employment and are able to support themselves without recourse to public funds;
- (c) a three month temporary visa permitting them to live in the United Kingdom for the purposes of seeking alternative employment as an overseas domestic worker where there is evidence that the worker has been a victim of modern slavery.”

## COMMONS DISAGREEMENT AND AMENDMENTS IN LIEU

*The Commons disagree to Lords Amendment 72 and propose Amendments 72A, 72B and 72C in lieu.*

### After Clause 50

72A Insert the following new Clause –

### “Overseas domestic workers

- (1) Immigration rules must make provision for leave to remain in the United Kingdom to be granted to an overseas domestic worker –
  - (a) who has been determined to be a victim of slavery or human trafficking, and
  - (b) in relation to whom such other requirements are met as may be provided for by the rules.
- (2) Immigration rules must make provision as to the conditions on which such leave is to be granted, and must in particular provide –
  - (a) that the leave is to be for the purpose of working as a domestic worker in a private household;
  - (b) for a person who has such leave to be able to change employer (subject to paragraph (a)).
- (3) Immigration rules may specify a maximum period for which a person may have leave to remain in the United Kingdom by virtue of subsection (1). If they do so, the specified maximum period must not be less than 6 months.
- (4) For the purposes of this section an overseas domestic worker has been determined to be a victim of slavery or human trafficking if a public authority has determined that he or she is such a victim –
  - (a) under regulations made under section (*Regulations about identifying and supporting victims*)(2)(b), or
  - (b) where no such regulations apply, under arrangements identified in the immigration rules.
- (5) The Secretary of State must issue guidance to persons having functions under the Immigration Acts about the exercise of those functions in relation to an overseas domestic worker who may be a victim of slavery or human trafficking.
- (6) The guidance must provide for a period during which no enforcement action should be taken against such an overseas domestic worker in respect of his or her –
  - (a) remaining in the United Kingdom beyond the time limited by his or her leave to enter or remain, or
  - (b) breaching a condition of that leave relating to his or her employment,
 if he or she did so because of the matters relied on as slavery or human trafficking.
- (7) In this section –
  - “immigration rules” has the same meaning as in the Immigration Act 1971;
  - “enforcement action” has the meaning given by section 24A of that Act;
  - “overseas domestic worker” means a person who, under the immigration rules, has (or last had) leave to enter or remain in the United Kingdom as –
    - (a) a domestic worker in a private household, or
    - (b) a private servant in a diplomatic household.”

**Clause 56**

- 72B** Page 40, line 22, after “5” insert “(except for section (*Overseas domestic workers*))”
- 72C** Page 40, line 29, leave out “Parts 4,” and insert “Part 4, section (*Overseas domestic workers*) in Part 5, and Parts”

