

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

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 4

BARONESS LISTER OF BURTERSETT
BARONESS HAMWEE
BARONESS ALTMANN
LORD RUSSELL OF LIVERPOOL

Page 3, line 8, at end insert –

“() Regulations under subsection (1) must ensure that no fee is charged that may deter or prevent registration of an EEA or Swiss national as a British citizen.”

Member’s explanatory statement

The amendment is to probe the impact upon rights to British citizenship of measures relating to fees (currently £1012 for a child and £1206 for an adult to register a statutory right to British citizenship) that have been introduced or are to be introduced in connection with the ending of free movement.

After Clause 4

BARONESS MASHAM OF ILTON
BARONESS FINLAY OF LLANDAFF
BARONESS THOMAS OF WINCHESTER

Insert the following new Clause –

“Fast-track health and social care visa

- (1) The Secretary of State must provide by regulations made by statutory instrument for the introduction of a fast-track health and social care visa for a relevant person who provides personal care for severely disabled people in the United Kingdom.
- (2) In this section, “fast-track” means processed by UK Visas and Immigration within three weeks from the day on which the applicant provides their biometric information, and “relevant person” means an EEA or Swiss national who immediately prior to the commencement of section 1 and Schedule 1 had the right of free movement into the United Kingdom.”

Member's explanatory statement

This new Clause would provide for the introduction of a fast-track health and social care visa for a person who provides personal care for severely disabled people. The visa would be limited to EEA or Swiss nationals who immediately prior to the commencement of section 1 and Schedule 1 had the right of free movement into the UK.

BARONESS LISTER OF BURTERSETT
BARONESS HAMWEE
THE EARL OF DUNDEE

Insert the following new Clause—

“Duty regarding rights to British citizenship

- (1) It is the duty of the Secretary of State to encourage, promote and facilitate awareness and exercise of rights to British citizenship among EEA and Swiss nationals.
- (2) In fulfilment of that duty, the Secretary of State—
 - (a) must take all reasonable steps to ensure that all EEA and Swiss nationals with rights to British citizenship are able to exercise those rights;
 - (b) must make arrangements, including with local authorities, to ensure that all children of EEA and Swiss nationals in a local authority area are aware of their rights to British citizenship and of the means by which to exercise those rights;
 - (c) must, when considering any application for confirmation or registration of British citizenship, have regard to information held by or available to the Secretary of State that would demonstrate the applicant to be a British citizen or entitled to that citizenship; and
 - (d) must ensure that anything done by the Secretary of State in fulfilment of responsibilities or exercise of powers under this Act or the European Union (Withdrawal Agreement) Act 2020 does not impede that duty.
- (3) For the purposes of this section—

“rights to British citizenship” means rights of acquisition of British citizenship by birth, adoption or registration under the British Nationality Act 1981; and

“to exercise those rights” means to be registered as a British citizen on the making of an application under the British Nationality Act 1981 or to obtain documentation from the Secretary of State confirming British citizenship (including by receipt of a passport) on the making of an application to the Secretary of State.”

Member's explanatory statement

This amendment is to probe the case for a statutory duty to encourage, promote and facilitate the exercise of people's rights to British citizenship and to require the Secretary of State to ensure that she does not exercise certain of her powers and responsibilities in any way that may impede the exercise of those rights.

BARONESS LISTER OF BURTERSETT
BARONESS HAMWEE
THE EARL OF DUNDEE
LORD RAMSBOTHAM

Insert the following new Clause—

“Registration as a British citizen by EEA and Swiss nationals

- (1) No person, who has at any time exercised any of the rights 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 which Schedule 1 makes provision to end may be charged a fee to register as a British citizen if that child is being looked after by a local authority.
- (3) No child of a person who has at any time exercised any of the rights 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.”

Member’s explanatory statement

This amendment is to probe how to secure rights to British citizenship where rights to free movement are being ended by prohibiting any charge above administrative cost and the application of such a charge to children looked after by a local authority.

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27 August 2020
