

ILLEGAL MIGRATION BILL

AMENDMENTS TO BE MOVED IN COMMITTEE

Clause 1, page 2, line 28	leave out subsection (5)
Clause 2, page 2, line 32	leave out “must” and insert “may”
Clause 2, page 3, line 9	leave out “7 March 2023” and insert “the commencement of this section.”
Clause 2, page 3, Line 10	leave out subsection(4)
Clause 3, page 4, line 9	leave out subsection (2)
Clause 4, page 4, line 27	leave out clause 4
Clause 5, page 5, line 36	<p>add at end “(2) If the Secretary of State is unable to make arrangements for the removal of the person from the United Kingdom within three months from the date of the person’s arrival in the United Kingdom the Secretary of State must:</p> <ul style="list-style-type: none">(a) Revoke the declaration of inadmissibility made under section 4(2) in relation to a protection claim, or a human rights claim, and(b) Consider a protection claim or a human rights claim made by the person.”
Clause 6, page 7, line 34	add at end “(2) Regulations under subsection 1 are subject to super affirmative procedure as provided for in the Schedule (Regulations under Section 6 Super Affirmative procedure.”
Clause 8, page 10, line 17	add at end “(8) This section does not apply to a family member who has been living in the United Kingdom prior to the commencement of this Act.”

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| Clause 9, page 10, line 26 | leave out clause 9 |
| Clause 15, page 22, line 32 | add at end “(3) In providing or arranging for the provision of accommodation for unaccompanied migrant children under this section the Secretary of State must

(a) regard the best interests of the child as a primary consideration.” |
| Clause 15, page 22, line 36 | leave out ““7 March 2023” and insert “the commencement of this section.” |
| Clause 16, page 23, line 4 | add at end “(2) In making the decision under subsection (1) the Secretary of State must (a) regard the best interests of the child as a primary consideration.” |
| Clause 19, page 24, line 27 | add at end “the Secretary of State must consult with: --

(a) the Welsh Ministers,

(b) the Scottish Ministers,

(c) the First Minister and deputy First Minister in Northern Ireland,

(d) a Northern Ireland Minister, or

(e) a Northern Ireland department and

(f) local authorities in Wales,

(g) local authorities in Scotland: and

(h) local authorities in Northern Ireland; and

(g) such other persons or bodies, as the Secretary of State considers appropriate. |

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	(3) The Secretary of State must publish the result of the consultation before the regulations under subsection (1) are laid in Parliament.”
Clause 21, page 25, line 15	leave out clause 21
Clause 29, page 33, line 35	leave out “or (e) the person— (i) is a member of the family of a person who has ever met those four conditions, and (ii) meets the three conditions in section 8 of that Act (removal of family members);”
Clause 29, page 34, line 7	leave out “and (b) the person— (i) is a member of the family of a person who has ever met those four conditions, and (ii) meets the three conditions in section 8 of that Act (removal of family members);”
Clause 30, page 35, after line 25,	insert —“() Nothing in this Act shall exclude any entitlement to British citizenship under the British Nationality Act 1981.”
Clause 30, page 35, line 34	leave out subsection (4).
Clause 39, page 41, line 19	leave out “not”
Clause 39, page 41, line 22	leave out subsection (2)
Clause 40, page 43, line 1	leave out “8” and insert “30”
Clause 40, page 43, line 3	leave out “4” and insert “30”

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Clause 42, page 44, line 15	leave out “Upper” and insert “First-tier”
Clause 42, page 44, line 25	leave out line 25
Clause 42, page 44, line 27	leave out “Upper” and insert “First-tier”
Clause 42, page 44, line 30	leave out “Upper” and insert “First-tier”
Clause 42, page 44, line 32	leave out “Upper” and insert “First-tier”
Clause 42, page 44, line 41	leave out subsection (7)
Clause 43, page 45, line 9	leave out “Upper” and insert “First-tier”
Clause 43, page 45, line 10	leave out “Upper” and insert “First-tier”
Clause 43, page 45, line 11	leave out “Upper” and insert “First-tier”
Clause 43, page 45, line 12	leave out “Upper” and insert “First-tier”
Clause 43, page 45, line 14	leave out “only”
Clause 43, page 45, line 14	after “if” insert “among other matters”
Clause 43, page 45, line 18	leave out “Upper” and insert “First-tier”
Clause 43, page 45, line 20	leave out “only”
Clause 43, page 45, line 20	after “if” insert “among other matters”
Clause 43, page 45, line 23	leave out “Upper” and insert “First-tier”
Clause 43, page 45, line 25	leave out “Upper” and insert “First-tier”

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Clause 43, page 45, line 27	leave out “Upper” and insert “First-tier”
Clause 43, page 45, line 28	leave out “Upper” and insert “First-tier”
Clause 43, page 45, line 30	leave out subsection (7)
Clause 43, page 45, line 33	leave out subsection (8)
Clause 46, page 47, line 43	after “matter” insert “including a new matter”
Clause 46, page 48, line 1	leave out subsection (3).
Clause 46, page 48, line 9	leave out from line 9 to the end of line 29.
Clause 48, page 49, line 29	leave out clause 48
Schedule 2	to move the following Schedule —

Insert the following new Schedule—

“Regulations under Section 6 Super Affirmative Procedure

(1) If the Secretary of State considers it necessary to make regulations under this Act which are subject to the super-affirmative resolution procedure, the Secretary of State must lay before Parliament—

- (a) draft regulations, and;
- (b) an explanatory document.

(2) The explanatory document must introduce and give reasons for draft regulations.

(3) Subject as follows, if after the expiry of the 40-day period the draft regulations laid under paragraph 1 are approved by a resolution of each House of Parliament, the Secretary of State may make regulations in the terms of the draft regulations.

(4) The procedure in paragraphs 5 to 8 apply to the draft regulations instead of the procedure in paragraph 3 if— (a) either House of Parliament resolves within the 30-day period, or (b) a committee of either House charged with reporting on the draft regulations so recommends within the 30-day period and the House to which the recommendation is made does not by resolution reject the recommendation within that period.

(5) The Secretary of State must consult the:

- (1) The Scottish Ministers
- (2) The Welsh Ministers and

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(3) The Northern Ireland Executive and have regard to—

(a) their representations,

(b) any other representations received and

(c) any resolution of either House of Parliament, and

any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations, made during the 60 day period on the draft regulations.

(6) If, after the expiry of the 60-day period, the draft regulations are approved by each House the Secretary of State may make regulations in the terms of the draft regulations.

(7) If, after the expiry of the 60-day period, the Secretary of State wishes to proceed with the draft regulations but with material changes, the Secretary of State may lay before Parliament— (a) a revised draft of the regulations, and

(b) a statement giving a summary of the changes proposed which may be approved by each House.

(8) If the revised draft regulations are approved by a resolution of each House of Parliament, the Secretary of State may make regulations in the terms of the revised draft regulations.

(9) For the purposes of this Schedule regulations are made in the terms of draft regulations or revised draft regulations if they contain no material changes to their provisions.

(10) In this paragraph, references to the “30-day”, “40-day” and “60-day” periods in relation to any draft regulations are to the periods of 30, 40 and 60 days beginning with the day on which the draft regulations were laid before Parliament.”