

# Nationality and Borders Bill

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AMENDMENTS  
TO BE MOVED  
ON REPORT

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**After Clause 12**

BARONESS STROUD

Insert the following new Clause—

**“Changes to the Immigration Act 1971**

- (1) The Immigration Act 1971 is amended as follows.
- (2) After section 3(2) (general provisions for regulation and control) insert—
  - “(2A) Regulations under subsection (2) must provide that persons, and adult dependants of persons who are applying for asylum in the United Kingdom are granted permission by the Secretary of State to take up employment if--
    - (a) a decision at first instance has not been taken on the applicant’s asylum application within six months of the date on which the application was made, or
    - (b) a person makes an application or a further application which raises asylum grounds, and a decision on that new application, or a decision on whether to treat such further asylum grounds as a new application, has not been taken within six months of the date on which the further application was made.
  - (2B) For the purposes of subsection (2A), regulations must ensure that permission granted allowing people applying for asylum in the UK, and their adult dependants to take up employment, are on terms no less favourable than the terms granted to a person with recognised refugee status.
  - (2C) This permission is to be valid until the claim is determined and all appeal rights have been exhausted and individuals granted permission to work will be issued with physical proof of the right to work.”

**After Clause 37**

LORD DUBS  
THE LORD BISHOP OF DURHAM

Insert the following new Clause –

**“Immigration Rules: entry to seek asylum and join family**

- (1) The rules laid down by the Secretary of State in accordance with section 1(4) and section 3(2) of the Immigration Act 1971 for regulating the entry into and stay in the United Kingdom of persons not having the right of abode must include provision for admitting persons coming for the purpose of seeking asylum.
- (2) These rules must make provision, for the purpose of seeking asylum, for persons in Europe who have a family member in the United Kingdom who is ordinarily and lawfully resident in the United Kingdom.
- (3) For the purposes of this section, a “family member” means –
  - (a) when the person in Europe is an unaccompanied minor:
    - (i) a parent, including adoptive parent;
    - (ii) aunt or uncle;
    - (iii) grandparent; or
    - (iv) sibling, including adoptive siblings;
  - (b) spouse, civil partner, unmarried partner of the person in Europe; and
  - (c) such other persons as the Secretary of State may determine, having regard to
    - (i) the importance of maintaining family unity;
    - (ii) any dependency between the family members;
    - (iii) the best interests of a child; and
    - (iv) any compelling circumstances.”

***Member’s explanatory statement***

*This new Clause would require the Government to make provision within the Immigration Rules for unaccompanied children, and certain other people in Europe, to be admitted to the UK for the purposes of seeking asylum where they have a close family member in the UK.*

**Clause 71**

BARONESS RITCHIE OF DOWNPATRICK

Page 74, line 16, at end insert –

- “(c) the individual is travelling to Northern Ireland on a local journey from the Republic of Ireland.”

***Member’s explanatory statement***

*Under this amendment, persons who are neither British nor Irish would nevertheless be able to make local journeys from the Republic of Ireland to Northern Ireland without the need for an Electronic Travel Authorisation.*

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*16 February 2022*

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