

[AS INTRODUCED]

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Make provision in connection with the deployment of UK armed forces outside the United Kingdom, overseas territories and Crown dependencies; to make provision for the approval by Parliament of a declaration of war by Her Majesty's Government; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Declaration of war

- (1) The Secretary of State or a Minister of the Crown may issue a declaration that a state of war exists between the United Kingdom and another state, country or territory if the conditions in subsection (2) have been fulfilled.
- (2) The conditions are—
 - (a) that a resolution that a state of war should be declared between the United Kingdom and another state, country or territory, as specified in the resolution, has been approved by the House of Commons; and
 - (b) that a debate has taken place in the House of Lords to take note of the Government's intention to declare that a state of war exists between the United Kingdom and another state, country or territory, as specified.

2 Deployment of UK armed forces overseas in an armed conflict

- (1) It is lawful for Her Majesty's Government to authorise the deployment of armed forces on behalf of the Crown in armed conflict outside the U K, Overseas Territories and Crown Dependencies if any of the conditions in subsection (2) is met and if the further conditions in subsections (3) are met.
- (2) The conditions are—
 - (a) that the deployment is necessary for the defence of the United Kingdom;
 - (b) that the deployment is necessary and proportionate in order to protect United Kingdom citizens and interests overseas;
 - (c) that the deployment is in pursuance of the United Kingdom's Treaty obligations;

- (d) that the deployment is in order to meet needs arising from humanitarian need, crisis or emergency in any part of the world; or
 - (e) that the deployment is in pursuance of a Security Council Resolution of the United Nations.
- (3) The further conditions are— 5
 - (a) that a statement has been made by the Secretary of State or a Minister of the Crown to both Houses of Parliament to describe the purpose and extent of the deployment within 60 days of its commencement; and
 - (b) that, if the deployment is to extend beyond 60 days and is in order 10
to protect UK citizens and interests overseas, the deployment is approved by a resolution of the House of Commons consisting of the words “that this House approves the deployment of armed forces of the Crown as proposed by Her Majesty’s Government” (and of no other words), on a motion tabled by a Minister of the Crown. 15

3 Commencement, extent and short title

- (1) This Act comes into force at the end of the period of three months beginning with the day on which it is passed.
- (2) This Act extends to England and Wales, Scotland and Northern Ireland.
- (3) This Act may be cited as the War Powers Act 2022. 20

War Powers Bill [HL]

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Lord Lansley

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