Armed Forces Bill

MARSHALLED

LIST OF AMENDMENTS

TO BE MOVED

ON THIRD READING

[*Amendments marked ★ are new or have been altered*]

Amendment No.

After Clause 52

LORD COAKER

1 After Clause 52, insert the following new Clause—

"Removal of immigration fees

(1) The Secretary of State must make regulations under section 68 of the Immigration Act 2014 (power to impose fees in connection with immigration or nationality functions) to secure that qualifying service persons, and qualifying family members, are exempted from any requirement that would otherwise apply to pay immigration fees.

(2) Before the end of six months beginning with the day on which this Act is passed, the Secretary of State must lay before Parliament a report setting out—

(a) the estimated cost to public funds of implementing the regulations mentioned in subsection (1), and

(b) a timetable for the implementation of those regulations.

(3) In this section—

"immigration fees" means any fees payable in connection with an application of a kind specified in—

(a) row 1.3D.1 of Table 1 in Schedule 1 to the Immigration and Nationality (Fees) Regulations 2018 (S.I. 2018/330) (fees for an application for entry clearance and indefinite leave to enter under Appendix HM Armed Forces to the immigration rules),

(b) row 1.4.4A of that Table (fees for an application for entry clearance under Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997 to the immigration rules),

(c) row 3.1.1 of that Table (fees for an application for entry clearance and indefinite leave to enter the United Kingdom as the dependant of an HM Armed Forces service leaver or a member of HM Armed Forces), or

(d) row 8.1.1 of Table 8 in Schedule 2 to those Regulations (fees for an application for indefinite leave to remain in the United Kingdom);

"qualifying family member" means a person who meets the requirements for making an application for settlement under Armed Forces immigration rules as the partner or child of—

(a) a qualifying service person, or

(b) a current member of HM Armed Forces;

"qualifying service person" means a person who meets the requirements for making an application for settlement under Armed Forces immigration rules as—

(a) a service leaver from HM Armed Forces,

(b) a former member of the Brigade of Gurkhas, or

(c) a former member of the Hong Kong Military Service Corps or Hong Kong Squadron of the Royal Navy.

(4) In subsection (3)—

(a) references to "Armed Forces immigration rules" are to—

(i) Appendix HM Armed Forces to the immigration rules, or

(ii) Appendix Gurkha and Hong Kong military unit veteran discharged before 1 July 1997 to the immigration rules,

and "immigration rules" means rules made under section 3(2) of the Immigration Act 1971 (as amended from time to time);

(b) the terms "partner", "child", "service leaver" and "HM Armed Forces" have the same meanings as in the rules mentioned in paragraph (a)."

Member's explanatory statement

This new clause would provide for a requirement for certain fees for making immigration-related applications to be waived in the case of certain members of the Armed Forces together with their partners and children and would also require a report to be made to Parliament about the implementation of that requirement within six months of Royal Assent.

LORD CRAIG OF RADLEY

As an amendment to Amendment 1

2★ In subsection (2), paragraph (b), at end insert "which would bring the exemption into force within the first half of the 2027/28 financial year"

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