

Border Security, Asylum and Immigration Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Marshalled List]

After Clause 48

LORD ALTON OF LIVERPOOL

After Clause 48, insert the following new Clause—

“British National (Overseas) visa route: statutory protection

- (1) Notwithstanding section 3(2) of the Immigration Act 1971, the Secretary of State must ensure the continuation of the British National (Overseas) Visa scheme as set out in the Immigration Rules HC 395 (“the BN(O) route”), including the pathway to settlement after five years of lawful residence.
- (2) Any restrictions to the eligibility criteria, conditions, or settlement pathway of the BN(O) route, including any extension to the qualifying period for settlement, may only be made by regulations subject to the affirmative resolution procedure.
- (3) The provisions of this section may not be repealed except by an Act of Parliament.”

Member’s explanatory statement

This amendment seeks to place the BN(O) visa route, including the existing five-year path to settlement, on a statutory footing. It would require any substantial restrictions to the route – such as eligibility criteria or the qualifying period for settlement – to be made through regulations subject to the affirmative procedure, and would prevent the repeal of the route other than by primary legislation.

LORD ALTON OF LIVERPOOL

After Clause 48, insert the following new Clause—

“Ukrainian Family Scheme: settlement

Within six months of the day on which this Act is passed, the Secretary of State must amend Immigration Rules to ensure that individuals on the Ukraine Family Scheme are eligible for settled status after five years of lawful residence.”

Member's explanatory statement

This amendment seeks to ensure that the Secretary of State amends Immigration Rules so that individuals on the Ukraine Family Scheme have a pathway to settlement after five years of lawful residence.

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