

Border Security, Asylum and Immigration Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Second Marshalled List]

Amendment
No.

After Clause 48

BARONESS HAMWEE

203E★ After Clause 48, insert the following new Clause —

“Safe states for the purposes of asylum and other claims

- (1) The Nationality, Immigration and Asylum Act 2002 is amended as follows.
- (2) After section 80A(5) insert —
 - “(5A) For the purposes of subsection (4) exceptional circumstances include where the claimant is at substantial risk of significant personal harm, either as a member of a minority group or as an individual.”
- (3) In section 80AA(1) omit paragraphs (a), (ka) and (oa).”

Member's explanatory statement

This amendment removes Albania, Georgia and India from the list of safe states, for the purpose of inadmissibility of asylum claims, and allows for claims by an individual at substantial risk of harm in a “safe state”.

Clause 54

LORD CAMERON OF LOCHIEL
LORD DAVIES OF GOWER

204A★ Clause 54, page 53, line 38, at end insert —

- “(viii) the Director General of Border Force,
- (ix) the Director General of Immigration Enforcement, or
- (x) the Border Security Commander, and”

Member's explanatory statement

This amendment would expand the class of applicants for the making of serious crime prevention orders to include the heads of immigration and border security enforcement agencies.

LORD CAMERON OF LOCHIEL
LORD DAVIES OF GOWER

204B★ Clause 54, page 58, line 7, at end insert —

“(d) after paragraph 20B insert —

“Director General of Border Force

20C The functions of the Director General of Border Force under this Part are —

- (a) to have the conduct of applications for serious crime prevention orders in England and Wales or for their variation or discharge,
- (b) to appear on any application made under section 17 or 18 by another person for the variation or discharge of a serious crime prevention order in England and Wales,
- (c) to have the conduct of, or (as the case may be) appear in, any other proceedings in connection with serious crime prevention orders (whether proceedings on appeal, by virtue of section 27 or otherwise),
- (d) to give advice in connection with any proceedings or possible proceedings in connection with serious crime prevention orders, and
- (e) to do anything for the purposes of, or in connection with, the functions in paragraphs (a) to (d).

20D(1) The Director General of Border Force may, to such an extent as they may decide, delegate the exercise of their functions under this Part to any member of Border Force of at least the rank of Assistant Director.

- (2) References in this Part to the Director General of Border Force are accordingly to be read, so far as necessary for the purposes of sub-paragraph (1), as references to the Director General or any member of Border Force of at least the rank of Assistant Director.

Director General of Immigration Enforcement

20E The functions of the Director General of Immigration Enforcement under this Part are —

- (a) to have the conduct of applications for serious crime prevention orders in England and Wales or for their variation or discharge,

- (b) to appear on any application made under section 17 or 18 by another person for the variation or discharge of a serious crime prevention order in England and Wales,
 - (c) to have the conduct of, or (as the case may be) appear in, any other proceedings in connection with serious crime prevention orders (whether proceedings on appeal, by virtue of section 27 or otherwise),
 - (d) to give advice in connection with any proceedings or possible proceedings in connection with serious crime prevention orders, and
 - (e) to do anything for the purposes of, or in connection with, the functions in paragraphs (a) to (d).
- 20F (1) The Director General of Immigration Enforcement may, to such an extent as they may decide, delegate the exercise of their functions under this Part to any member of Immigration Enforcement of at least the rank of Assistant Director.
- (2) References in this Part to the Director General of Immigration Enforcement are accordingly to be read, so far as necessary for the purposes of sub-paragraph (1), as references to the Director General or any member of Immigration Enforcement of at least the rank of Assistant Director.
- 20G The functions of the Border Security Commander under this Part are —
- (a) to have the conduct of applications for serious crime prevention orders in England and Wales or for their variation or discharge,
 - (b) to appear on any application made under section 17 or 18 by another person for the variation or discharge of a serious crime prevention order in England and Wales,
 - (c) to have the conduct of, or (as the case may be) appear in, any other proceedings in connection with serious crime prevention orders (whether proceedings on appeal, by virtue of section 27 or otherwise),
 - (d) to give advice in connection with any proceedings or possible proceedings in connection with serious crime prevention orders, and
 - (e) to do anything for the purposes of, or in connection with, the functions in paragraphs (a) to (d).”

Member's explanatory statement

This amendment would expand the class of applicants for the making of serious crime prevention orders to include the heads of immigration and border security enforcement agencies.

After Clause 56

LORD CAMERON OF LOCHIEL
LORD DAVIES OF GOWER

208B★ After Clause 56, insert the following new Clause –

“Amendment to the Serious Crime Act 2007

(1) Schedule 1 of the Serious Crime Act 2007 is amended as follows.

(2) After paragraph 2, insert –

“Illegal immigration

2ZA(1) An offence under any of the following provisions of the Immigration Act 1971 –

- (a) section 24(A1), (B1), (C1), (D1), (E1), (E1A) or (E1B) (illegal entry and similar offences);
- (b) section 24A (deception).

(2) An offence under either of the following provisions of the Border Security, Asylum and Immigration Act 2025 –

- (a) section 13 (supplying articles for use in immigration crime);
- (b) section 14 (handling articles for use in immigration crime).”

(3) After paragraph 16B, insert –

“Illegal immigration

16BZA (1) An offence under any of the following provisions of the Immigration Act 1971 –

- (a) section 24(A1), (B1), (C1), (D1), (E1), (E1A) or (E1B) (illegal entry and similar offences);
- (b) section 24A (deception).

(2) An offence under either of the following provisions of the Border Security, Asylum and Immigration Act 2025 –

- (a) section 13 (supplying articles for use in immigration crime);
- (b) section 14 (handling articles for use in immigration crime).”

(4) After paragraph 18, insert –

“Illegal immigration

18ZA(1) An offence under any of the following provisions of the Immigration Act 1971 –

- (a) section 24(A1), (B1), (C1), (D1), (E1), (E1A) or (E1B) (illegal entry and similar offences);
- (b) section 24A (deception).

(2) An offence under either of the following provisions of the Border Security, Asylum and Immigration Act 2025 –

- (a) section 13 (supplying articles for use in immigration crime);
- (b) section 14 (handling articles for use in immigration crime).””

Member's explanatory statement

This amendment would add the offences of illegal entry, deception and offences under this Bill to the definition of serious crime for the purposes of serious crime prevention orders.

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7 July 2025
