

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

Second Delegated Legislation Committee

DRAFT NATIONALITY, IMMIGRATION AND  
ASYLUM ACT 2002 (JUXTAPOSED CONTROLS)  
(AMENDMENT) (NO. 2) ORDER 2021

*Monday 28 June 2021*

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**not later than**

**Friday 2 July 2021**

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**The Committee consisted of the following Members:**

*Chair:* MR PHILIP HOLLOBONE

Andrew, Stuart ( <i>Pudsey</i> ) (Con)	Osamor, Kate ( <i>Edmonton</i> ) (Lab/Co-op)
† Charalambous, Bambos ( <i>Enfield, Southgate</i> ) (Lab)	† Owatemi, Taiwo ( <i>Coventry North West</i> ) (Lab)
Fellows, Marion ( <i>Motherwell and Wishaw</i> ) (SNP)	† Philp, Chris ( <i>Parliamentary Under-Secretary of State for the Home Department</i> )
Freer, Mike ( <i>Finchley and Golders Green</i> ) (Con)	† Pursglove, Tom ( <i>Corby</i> ) (Con)
Harris, Rebecca ( <i>Castle Point</i> ) (Con)	Rees, Christina ( <i>Neath</i> ) (Lab/Co-op)
Holmes, Paul ( <i>Eastleigh</i> ) (Con)	Rutley, David ( <i>Macclesfield</i> ) (Con)
Jones, Mr Marcus ( <i>Nuneaton</i> ) (Con)	
Lloyd, Tony ( <i>Rochdale</i> ) (Lab)	Liam Laurence Smyth, <i>Committee Clerk</i>
McDonnell, John ( <i>Hayes and Harlington</i> ) (Lab)	
† Mann, Scott ( <i>North Cornwall</i> ) (Con)	† <b>attended the Committee</b>
Morris, James ( <i>Halesowen and Rowley Regis</i> ) (Con)	

## Second Delegated Legislation Committee

Monday 28 June 2021

[MR PHILIP HOLLOBONE *in the Chair*]

### Draft Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) (No. 2) Order 2021

4.30 pm

**The Chair:** Before we begin, I remind Members to observe 1 metre-plus social distancing and to sit only in places that are clearly marked. I also remind Members that Mr Speaker has stated that masks should be worn in Committee. *Hansard* will be most grateful if Members send their speaking notes by email to [hansardnotes@parliament.uk](mailto:hansardnotes@parliament.uk).

**The Parliamentary Under-Secretary of State for the Home Department (Chris Philp):** I beg to move,

That the Cttee has considered the draft Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) (No. 2) Order 2021.

It is a great pleasure to serve under your chairmanship, Mr Hollobone, for the first time, I think, but hopefully not the last. I will be brief as this is a relatively technical matter.

The draft order was laid in May in exercise of powers conferred by section 141 of the Nationality, Immigration and Asylum Act 2002. A previous instrument, the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) (Amendment) Order 2021, which was debated and passed by both Houses a few months ago, unfortunately contained a couple of technical errors, which the draft order corrects.

The UK operates border controls at certain locations outside the UK. These so-called juxtaposed controls are operated at channel tunnel control points on the other side of the channel, and at the seaports of Calais

and Dunkirk. The order passed a couple of months ago made the powers exercisable by Border Force officers at the Calais and Dunkirk seaports the same as the powers exercisable by Border Force officers at the channel tunnel juxtaposed control points. It was a very reasonable order, which is why both Houses passed it, but unfortunately a couple of technical errors in its drafting have come to light. First, the provisions were made as a free-standing provisions, when in fact they should be inserted into the Nationality, Immigration and Asylum Act 2002 (Juxtaposed Controls) Order 2003. Secondly, there were two erroneous paragraph numbers in the order we passed a few months ago, which we need to change so that the references make sense.

I trust that this set of drafting changes is relatively uncontentious. We debated the substance of the draft order a couple of months ago. On that basis, I commend the draft order to the Committee.

**The Chair:** The debate can last until 6 pm. I call the shadow Minister.

4.33 pm

**Bambos Charalambous** (Enfield, Southgate) (Lab): It is a pleasure to serve under your chairmanship, Mr Hollobone. I will not detain the Committee until 6 pm. In fact, my response will be very brief.

The substance of the statutory instrument was debated a few months ago—in fact, I believe I spoke in that Committee—so I will not rehash the arguments. The Opposition support the alignment that that the previous order proposed and note that the corrections in the draft order are necessary, so we will not oppose the draft order and hope that it passes very swiftly.

4.34 pm

**Chris Philp:** I thank the shadow Minister for both his support and his brevity.

*Question put and agreed to.*

4.34 pm

*Committee rose.*