

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

20th July, 2023

Proposition No. P.2023/69

Policy & Resources Committee and Committee *for* Home Affairs

Recent UK Act of Parliament and Bills regarding Nationality - Article 72A of the Reform (Guernsey) Law, 1948: Nationality and Borders Act 2022; Illegal Migration Bill; and British Nationality (Regularisation of Past Practice) Bill

AMENDMENT

Proposed by: Deputy P T R Ferbrache

Seconded by: Deputy R G Prow

To delete Propositions 3, 4 and 5 and to substitute therefor:

- "3. To acknowledge that the nationality sections only of the UK's Illegal Migration Act 2023 have direct effect in the Bailiwick of Guernsey.
4. To the extent that it is necessary, to signify agreement to the substance of the nationality sections only of the Illegal Migration Act 2023, insofar as they have effect in Guernsey, for the purposes of Article 72A of the Reform (Guernsey) Law, 1948, as amended.
5. To note that the immigration provisions of the Illegal Migration Act 2023 will be laid before the States of Deliberation in due course for consideration if it was proposed to extend any of them to Guernsey (and the wider Bailiwick), with or without modification, by Order in Council."

Rule 4(1) Information

- a) The propositions contribute to the States' objectives and policy plans in the same manner as the original propositions.
- b) In preparing the propositions, there has been no need for consultation with stakeholders as the two States committees whose mandates cover the matters outlined are the two committees presenting this Policy Letter for consideration by the States of Deliberation.

- c) The propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) There are no financial implications to the States of carrying the proposal into effect.

Explanatory note

One of the pieces of UK legislation referred to in the Policy Letter has been given Royal Assent since the Policy Letter was written and published. It has changed from being a Bill to an Act. It is now the Illegal Migration Act 2023.

Consequently, the three Propositions which referred to the Bill need to be amended to refer to the Act instead. There were no substantive changes in the text of the nationality provisions in that piece of legislation which would affect what is stated in the Policy Letter about the purpose and effect of those nationality provisions. The numbering of the nationality provisions has changed during its transition through the Houses of Parliament.