

LORDS AMENDMENTS TO THE  
EUROPEAN UNION (WITHDRAWAL AGREEMENT) BILL

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*[The page and line references are to HL Bill 16, the bill as first printed for the Lords]*

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**Clause 7**

**1** Leave out Clause 7 and insert the following new Clause –

**“Rights related to residence**

- (1) The Secretary of State must by regulations make provision implementing –
- (a) Article 18(4) of the withdrawal agreement (right of eligible citizens to receive a residence document),
  - (b) Article 17(4) of the EEA EFTA separation agreement (right of eligible citizens to receive a residence document), and
  - (c) Article 16(4) of the Swiss citizens’ rights agreement (right of eligible citizens to receive a residence document),
- including making provision for a physical document providing proof of residence.
- (2) Subsection (1) applies in the same way to –
- (a) persons within the personal scope of the withdrawal agreement having the right to reside in the United Kingdom, and
  - (b) persons to whom the provisions in paragraph (a) do not apply but who are eligible for –
    - (i) indefinite leave to enter or remain, or
    - (ii) limited leave to enter or remain,by virtue of residence scheme immigration rules (see section 17).”

**Clause 26**

**2** Page 30, line 13, leave out paragraph (b)

- 3 Page 30, line 20, leave out paragraph (d) and insert –  
“(d) after subsection (5) insert –

“(5A) Where a court or tribunal other than the Supreme Court or the High Court of Justiciary is of the opinion that any retained EU case law that is relevant to an issue before it should be departed from, that court or tribunal must –

- (a) in its judgment set out the reasons for that opinion, and
- (b) refer the case to the Supreme Court or, as appropriate, the High Court of Justiciary,

and if the Supreme Court or High Court of Justiciary grants leave for the case to proceed, it must decide whether to depart from the EU case law on the issue before it.”, and”

**Clause 37**

- 4 Leave out Clause 37

**Clause 38**

- 5 Page 37, line 27, after “Kingdom” insert “, acting in accordance with the conventions relating to devolved power set out in –
- (a) section 28(8) of the Scotland Act 1998, and
  - (b) section 107(6) of the Government of Wales Act 2006,”

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