

#### **4.11 Deputy P.V.F. Le Clare of the Chief Minister regarding the need for passports when travelling to the United Kingdom from 2014:**

Would the Minister advise whether passports will be required to travel from Jersey to the United Kingdom from 2014 and what negotiations, if any, have occurred between the Chief Minister's Department and the U.K. on this matter?

#### **Senator T.A. Le Sueur (The Chief Minister):**

The Ministry of Justice informed Jersey on 18th December 2008 of proposals in the Draft Borders, Citizenship and Immigration Bill which could amend the Immigration Act of 1971, that is the U.K. Act. The Ministry of Justice advised that the draft Bill was to be introduced to Parliament in January and requested the comments of Jersey's Government. The change is part of a U.K. Policy to enable the Borders Agency to increase vigilance at the U.K. borders, for example, with regard to the movements of suspected criminals and terrorists, including movement between the U.K. and Ireland and between the U.K. and the Crown Dependencies. The U.K. will propose that any passport checks carried out would only be on an *ad hoc* intelligence-led basis. However, the potential for permanent fixed controls would exist. The Government of Jersey has replied through the official channel to say that it is opposed to such proposals with further discussions on anticipated official level and we will continue to press our case. The Bill is at a very early stage of consideration and will be subject to numerous amendments before it is finally brought to a debate in the House of Lords, and after that it will have to go through the House of Commons. The opposition of the Jersey Government may be taken into account at any stage in the process. It is, however, impossible to say at this point what any legislation may finally contain and whether or not passports will be required for travel from Jersey to the U.K. from 2014.

#### **4.11.1 Deputy P.V.F. Le Claire:**

I am delighted to hear the Chief Minister saying that the Government of Jersey, under his leadership, is opposed to these proposals. Although they are still in the early forms of being agreed, they do represent a serious impingement of the freedom of people of the Channel Islands, and would this also include an impact perhaps of what has been effectively agreed under Protocol 3 of the Treaty of Rome?

#### **Senator T.A. Le Sueur:**

Certainly the matter does impinge on the common travel arrangements which currently exist and that will have to be taken into consideration as part of our submissions and part of the deliberations in the House of Lords.

#### **4.11.2 Deputy P.V.F. Le Claire:**

Subsequently to that may I ask a supplementary question? If there are going to be negotiations in regards to the freedom of movement of Channel Islanders to and from the United Kingdom bearing passports, if those discussions are opened up will there be discussions in relation to the stamps that are currently being displayed within Jersey passports; not only those who have historically been living in Jersey but those are now finding themselves third or fourth generation in Jersey and their children are finding those restrictions in their passports. Will that not also be an opportunity and a time to discuss that matter given that we have always said there has been a reluctance to reopen Protocol 3?

#### **Senator T.A. Le Sueur:**

I suspect that that issue would be very much peripheral to the main arguments. I have to point out that this is U.K. draft legislation and the U.K. draft legislators and the select committee looking at this will perhaps be less interested in Jersey-particular arrangements in respect of Protocol 3. The point of issue here, which I think is a far more fundamental one, is the right of entry to and from the U.K.