

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 2nd NOVEMBER 2010**

Question

Will the Minister advise whether recent amendments to fees for visas and permissions to remain, are equitable and, given the differing nature of individuals' circumstances (both financially and in terms of the frequency these renewals are required) will he undertake to review the current system to ensure it is fair?

Will he also consider means-testing?

Answer

Immigration permission granted in the Island is common to immigration permission granted in the United Kingdom and the other Crown Dependencies. Fees for certain in-country immigration permissions for foreign, non EEA, nationals were introduced in Jersey on 1st May 2010 in line with similar fees charged by both the United Kingdom and the Isle of Man. When I introduced immigration fees I considered, for reasons of equity and fairness, that the administration of the charge should be identical in terms of allowed exemptions as those applicable in the United Kingdom and the Isle of Man.

I have recently reviewed the current system and whilst I have not increased the fees in line with current UK charges I found no reason to introduce a different exemption regime in Jersey to those applicable in the United Kingdom and the Isle of Man.

Since the introduction of local Immigration fees 158 foreign nationals and their dependants have applied to have their immigration permission varied or extended, only two of these applicants have claimed that they were unable to pay the fees due to their financial circumstances. I have exceptionally allowed for the fees to be paid in agreed instalments by one of these applicants and I am currently in discussion with my Customs and Immigration Service to consider a mutually acceptable method of payment for the second applicant.

Enforcement action to restrict employment or remove a person from Jersey as a result of non-payment of a fee would only be taken as a last resort and after close consideration of human rights and other considerations of a particular case.

I review all Immigration matters for which I am responsible on a regular basis, taking into account the Immigration regimes applicable in the United Kingdom and the other Crown Dependencies. Should these other jurisdictions introduce a system of means-testing for exemptions I will of course consider a similar system for Jersey.

Visas for foreign nationals are not issued locally and the fees for this immigration permission are set by Her Majesty's Government.