

**WRITTEN QUESTION TO THE CHIEF MINISTER  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 22nd OCTOBER 2013**

**Question**

Will the Chief Minister set out for members in one comprehensive document a list of all the treaty obligations, legislation (both primary and secondary), conventions and other material that govern immigration into Jersey?

**Answer**

Jersey is a part of the British Isles. As such, its constitutional position governs immigration into Jersey.

There are no systematic immigration controls between Britain and Jersey and if a person has the right of abode in either then he or she has no need to obtain leave to reside in the other. This is provided for in the British Nationality Act 1981 which applies directly to Jersey and the Immigration Acts of 1971 and 1988 which were extended to Jersey by virtue of the Immigration (Jersey) Order 1993.

Jersey's relationship with the European Union is laid down in Protocol 3 to the UK's Treaty of Accession to the European Economic Community. Jersey has an obligation under this Protocol to apply the same treatment to all nationals of Member States.

As there are no restrictions on British citizens entering Jersey, the same must apply to EU citizens.

As a result of the Immigration Act 1971 of the United Kingdom, which has been extended to Jersey by the Immigration (Jersey) Order 1993, Jersey is part of the common travel area and there are no border controls between the United Kingdom, Ireland and the Crown Dependencies.

**Legislation**

- Immigration (Jersey) Order 1993 and underlying subordinate legislation:
  - Immigration (Work Permits) (Jersey) Rules 1995
  - Immigration (Hotel Records) Order 1999
  - Immigration (Designated Ports of Entry and Exit) (Jersey) Act 2001
- Asylum and Immigration Act 1996 (Jersey) Order 1998
- Immigration and Asylum Act 1999 (Jersey) Order 2003 and underlying subordinate legislation:
  - Immigration (Removal Directions) (Jersey) Order 2004
  - Immigration (Fees) (Jersey) Order 2010

- Immigration (Jersey) Order 2012
- Immigration and Asylum (Jersey) Order 2012

**International**

- Protocol 3 to the United Kingdom's Act of Accession 1972 (Article 4)

**Directions**

- Leave to Enter and Remain Directions 2003
- Immigration (Landing and Embarkation Cards) Directions 2005
- The Directions of the Lieutenant-Governor 2012
- Immigration (Passenger, Crew and Service Information) (Jersey) Directions 2013

The legislation above, which specifically governs nationality and immigration, may be found in Chapter 21 of the Revised Edition of Jersey Laws, and this may be accessed for free on [www.jerseylaw.je](http://www.jerseylaw.je).

The Directions may be accessed via the Life Events (“Moving to Jersey”) section on [www.gov.je](http://www.gov.je)