

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY C.S. ALVES OF ST. HELIER
QUESTION SUBMITTED ON MONDAY 1st FEBRUARY 2021
ANSWER TO BE TABLED ON MONDAY 8th FEBRUARY 2021**

Question

Will the Minister advise whether non-British residents in Jersey are advised that, if they have a child and did not work at some point in the 5 years preceding the child's birth, the child cannot obtain British citizenship or a British passport; and, if so, will he explain what support and options are consequently made available to those who fall into this category, but who have been in Jersey for significant number of years or hold residential qualifications?

Answer

Prior to 2021, for a child to be automatically eligible as a British citizen to non-British parents, one of the parents must have been either, working, studying or been self-sufficient in Jersey or the UK for 5 years prior to the birth of the child. (These requirements were in place to prevent someone from coming to the UK or Islands and living dependent on state support for 5 years to enable a child to be automatically eligible for British citizenship).

These requirements are determined by the British Nationality Act which has identical requirements whether a person is resident in the UK or any of the Crown Dependencies.

EU national children who were not eligible for British citizenship due to the requirements of the British Nationality Act, but who were resident in Jersey prior to 2021, are eligible to the settlement scheme. Settled status is granted to any EU national who has had 5 continuous years residency in Jersey and does not require applicants to have been working, studying or self-sufficient during that period. Anyone granted settled status will be eligible to apply for British citizenship after 1 year.

Any child born in Jersey to a person who has been granted settled status is immediately eligible for British citizenship.

Advice regarding eligibility for British citizenship and how to obtain a British passport is available from the Immigration and Nationality section of the Jersey Customs and Immigration Service (JCIS).

Where foreign nationals resident in Jersey require advice in relation to obtaining identity documents, they should contact the consular service appropriate to their country of origin. JCIS may be able to advise on whether there is a Jersey based Honorary Consul who can be contacted in the first instance.

Jersey's residential qualifications, or those from any other British jurisdiction, do not have any bearing on a person's eligibility for British citizenship.