STATUTORY INSTRUMENTS

2017 No. 981

IMMIGRATION

The Immigration (Jersey) (Amendment) Order 2017

Made - - - - 11th October 2017

Coming into force in accordance with article 1(1)

At the Court at Buckingham Palace, the 11th day of October 2017

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 36 of the Immigration Act 1971(**1**), section 12(5) of the Immigration Act 1988(**2**), section 170(7) of the Immigration and Asylum Act 1999(**3**), section 63(3) of the Immigration, Asylum and Nationality Act 2006(**4**) and section 76(6) of the Immigration Act 2014(**5**), is pleased, by and with the advice of Her Privy Council, to order as follows:

PROSPECTIVE

Citation, commencement and interpretation

1. This Order may be cited as the Immigration (Jersey) (Amendment) Order 2017 and comes into force on the seventh day after the day on which it is registered by the Royal Court of Jersey.

Commencement Information

I1 Art. 1 not in force at made date, see **art. 1**

Amendment of the Immigration (Jersey) Order 1993

2. The Immigration (Jersey) Order 1993(**6**) is amended in accordance with Part 1 of the Schedule to this Order.

(**1**) 1971 c. 77.
(**2**) 1988 c. 14.
(**3**) 1999 c. 33.
(**4**) 2006 c. 13.
(**5**) 2014 c. 22.
(**6**) S.I. 1993/1797.

Commencement Information
I2 Art. 2 not in force at made date, see **art. 1**

Amendment of the Immigration and Asylum Act 1999 (Jersey) Order 2003

3. The Immigration and Asylum Act 1999 (Jersey) Order 2003(**7**) is amended in accordance with Part 2 of the Schedule to this Order.

Commencement Information
I3 Art. 3 not in force at made date, see **art. 1**

Amendment of the Immigration (Jersey) Order 2012

4. The Immigration (Jersey) Order 2012(**8**) is amended in accordance with Part 3 of the Schedule to this Order.

Commencement Information
I4 Art. 4 not in force at made date, see **art. 1**

Amendment of the Immigration (Jersey) Order 2015

5. The Immigration (Jersey) Order 2015(**9**) is amended in accordance with Part 4 of the Schedule to this Order.

Commencement Information
I5 Art. 5 not in force at made date, see **art. 1**

Saving

6.—(1) Orders made and directions given by the Lieutenant-Governor under the Immigration Acts and having effect on the day on which this Order comes into force shall have effect as if they had been made or given by the Minister under the Immigration Acts as amended by this Order, and shall remain in force until revoked or replaced by Orders made or directions given, as the case may be, by the Minister under the said Acts as so amended.

(2) In this article —

"the Immigration Acts" means the Immigration Act 1971, the Immigration Act 1988, the Immigration and Asylum Act 1999, the Immigration, Asylum and Nationality Act 2006 and the Immigration Act 2014 as each of those Acts has effect in the Bailiwick of Jersey;

"the Minister" means the Minister for Home Affairs (of Jersey).

(**7**) S.I. 2003/1252.
(**8**) S.I. 2012/1763.
(**9**) S.I. 2015/1532.

Commencement Information

I6 Art. 6 not in force at made date, see **art. 1**

Richard Tilbrook
Clerk of the Privy Council

PROSPECTIVE

SCHEDULE

Article 2

PART 1

AMENDMENT OF THE IMMIGRATION (JERSEY) ORDER 1993

1. In Part I of Schedule 1 –

(a) in paragraph 1(c), for "Committee" in the substituted subsection (4) and for "Lieutenant-Governor" in the substituted subsection (4A) substitute "Minister";

(b) in paragraph 3(d), for "Lieutenant-Governor" substitute "Minister";

(c) in paragraph 4(a), in the substituted wording –

(i) for "Lieutenant-Governor" substitute "Minister", and

(ii) for "Committee" substitute "Minister";

(d) in paragraph 4(c)(i), for "Committee" substitute "Minister";

(e) in paragraph 4(d) for "the Committee may by order make such provision as appears to it" substitute "the Minister may by order make such provision as appears to him";

(f) in paragraph 5(b), for "Lieutenant-Governor" substitute "Minister";

(g) in paragraph 5(c), for "Committee" substitute "Minister";

(h) in paragraph 7(a)(ii), for "Lieutenant-Governor's" substitute "Minister's";

(i) in paragraph 8(b), for the substituted subsection (2) substitute –

"(2) The Minister may direct that any particular person or class of persons shall be exempt either unconditionally or subject to such conditions as the Minister may impose from all or any of the provisions of this Act relating to those who are not British citizens.

(2A) A direction under this subsection, if made with respect to a class of persons, shall be made by Order to which the Subordinate Legislation (Jersey) Law 1960(**10**) shall apply.";

(j) in paragraph 9(b)(iii), for the substituted words from "by order and may" to "other conditions, by the Committee" (inclusive) substitute "by an Order of the Minister and may be applicable to them";

(k) in paragraph 9(d)(ii) and paragraph 9(f), for "Lieutenant-Governor" substitute "Minister";

(l) for paragraph 12(d), substitute –

"(d) for subsection (5) substitute –

"(5) Subsection (1) above applies to things done whether inside or outside the Bailiwick of Jersey.""

(m) in paragraph 16 –

(**10**) Revised Edition Chapter 15.720