



Jersey

IMMIGRATION (FEES) (JERSEY) ORDER 2017¹

Official Consolidated Version

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THE MINISTER FOR HOME AFFAIRS, in pursuance of sections 67A, 67B and 67C of the Immigration Act 2014 as extended to Jersey, with modifications, by the Immigration (Jersey) Order 2016, orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation²

In this Order –

“1971 Act” means the Immigration Act 1971 (c.77) of the United Kingdom as extended to Jersey, with modifications, by the Immigration (Jersey) Order 1993;

“Article 3 or Refugee Convention application” means an application for leave to remain in Jersey made on the basis that the applicant is –

- (a) a person making a claim for asylum which has either not been determined or has been granted;
- (b) a person who has been granted humanitarian protection under the Jersey Immigration Rules;
- (c) a person claiming that, due to an ongoing medical condition, removal from Jersey would be incompatible with Article 3 of the European Convention on Human Rights;
- (d) a person who is a dependant of a refugee or person granted humanitarian protection under the Jersey Immigration Rules and is applying for leave to remain in Jersey under paragraphs 352A to 352FI of the Jersey Immigration Rules; or
- (e) a child who was born in Jersey to a person referred to in paragraph (a) or (b);

“claim for asylum” means a claim that it would be contrary to Jersey’s obligations under the United Nations Convention and Protocol relating to the Status of Refugees for the claimant to be removed from, or required to leave, Jersey;

“child” means a person who has not attained the age of 18 years;

“dependant”, in relation to a person (“P”), means –

- (a) the spouse or civil partner of P;
- (b) a person who has been living with P in a relationship akin to a marriage or civil partnership for at least 2 years; or
- (c) any other person whose entitlement to make an application, for which a fee may be set by this Order, arises from a connection between that person and P;

“Jersey Immigration Rules” means the directions, as amended from time to time, given under section 1(4A) of the 1971 Act;

“Human Rights Law” means the [Human Rights \(Jersey\) Law 2000](#);

“leave to remain in Jersey” means leave to remain in Jersey in accordance with the provisions of the 1971 Act or the Jersey Immigration Rules and any subsequent variation of that leave;

“seasonal employment” means employment –

- (a) in the agriculture and hospitality sectors; or
- (b) on fishing vessels as crew;

“sector-based employment” means employment in the construction industry;

“specified human rights application” means an application for limited leave to remain in Jersey under –

- (a) paragraph 276ADE(i) of the Jersey Immigration Rules; or
- (b) any other application other than an Article 3 or Refugee Convention application in which the applicant relies solely or primarily on a claim that to remove the applicant from Jersey or to require the applicant to leave Jersey would be unlawful under Article 7(1) of the Human Rights Law (public authority not to act contrary to Convention rights).

2 Fees – limited leave to remain

- (1) This Article applies to an application for leave to remain in Jersey for a limited period.
- (2) The fee that must accompany an application is as follows –

	Person in respect of which an application is made	Fee
(a)	student	£475.00
(b)	dependant of a student	£475.00
(c)	person holding a work permit, where that work permit authorises the person’s seasonal employment for a period not exceeding 9 months	£244.00
(ca)	person holding a work permit, where that work permit authorises the person’s sector-based employment for a period not exceeding one year (which permit may be extended for a further period)	£244.00
(cb)	person holding a work permit under (ca) which is to be or has been extended for a further period	£244.00
(cc)	dependant of a person mentioned in paragraph (cb)	£244.00
(d)	person holding a work permit other than a person mentioned in paragraph (c) or (ca)	£704.00
(e)	dependant of a person mentioned in paragraph (d)	£704.00
(f)	investor	£1,623.00
(g)	dependant of an investor	£1,623.00

(h)	person seeking leave to remain for a period of 30 months, under Appendix HK(J) British National (Overseas) to the Jersey Immigration Rules, as a BN(O) status holder or a BN(O) household member	£180.00
(i)	dependant of a person mentioned in paragraph (h)	£180.00
(j)	person seeking leave to remain for a period of 5 years, under Appendix HK(J) British National (Overseas) to the Jersey Immigration Rules, as a BN(O) status holder or a BN(O) household member	£250.00
(k)	dependant of a person mentioned in paragraph (j)	£250.00
(l)	a person who is not a person mentioned in any of paragraphs (a) to (k)	£1,033.00 ³

3 Fees – indefinite leave to remain⁴

The fee that must accompany an application for leave to remain in Jersey for an indefinite period is £2,389.

3A ⁵

4 Exceptions

No fee need accompany an application under Article 2 or 3 if the application is –

- (a) in respect of an Article 3 or Refugee Convention application;
- (b) made in respect of a victim of domestic violence under paragraph 289A of, or Appendix FM (J) to, the Jersey Immigration Rules where, at the time of making the application, the applicant appears to the Minister to be destitute;
- (c) in respect of a specified human rights application where to require payment of the fee would be incompatible with the applicant's Convention rights (within the meaning of the Human Rights Law);
- (d) made to an immigration officer on arrival at a port of entry in Jersey in respect of a person seeking variation of leave to remain in Jersey for a period of up to 6 months;
- (e) made for the initial period of limited leave to remain in Jersey as a stateless person (within the meaning of paragraph 401 of the Jersey Immigration Rules), or as the family member of a stateless person, under Part 14 of the Jersey Immigration Rules;
- (f) made in respect of a person who, at the time the application is made, is a child who is being provided with any form of assistance by the States; or
- (g) in respect of an application for leave to remain by an EEA citizen, a family member of an EEA citizen or a family member of a qualifying British citizen under Appendix EU(J) to the Jersey Immigration Rules.⁶

5 Citation

This Order may be cited as the Immigration (Fees) (Jersey) Order 2017.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Immigration (Fees) (Jersey) Order 2017	R&O.53/2017	19 May 2017
Immigration (Fees) (Amendment) (Jersey) Order 2018	R&O.61/2018	1 June 2018
Immigration (Fees) (Amendment No. 2) (Jersey) Order 2019	R&O.2/2019	15 January 2019
Immigration (Fees) (Amendment No. 3) (Jersey) Order 2019	R&O.8/2019	7 February 2019
Immigration (Fees) (Amendment No. 4) (Jersey) Order 2019	R&O.71/2019	7 August 2019
Immigration (Fees) (Amendment No. 5) (Jersey) Order 2021	R&O.12/2021	31 January 2021
Immigration (Fees) (Amendment No. 6) (Jersey) Order 2021	R&O.69/2021	11 May 2021

Table of Endnote References

¹	<i>This Order was repealed by the Immigration (Fees) (Jersey) Order 2022 on 12 April 2022</i>
² Article 1	<i>amended by R&O.12/2021, R&O.69/2021</i>
³ Article 2(2)	<i>amended by R&O.61/2018, R&O.12/2021, R&O.69/2021</i>
⁴ Article 3	<i>substituted by R&O.61/2018</i>
⁵ Article 3A	<i>inserted by R&O.2/2019, deleted by R&O.8/2019</i>
⁶ Article 4	<i>amended by R&O.71/2019</i>