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STATUTORY INSTRUMENTS

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**1982 No. 1836**

**IMMIGRATION**

**The Immigration (Jersey) (Variation) Order 1982**

*Made* - - - - - *22nd December 1982*

*Coming into Operation* *1st January 1983*

At the Court at Buckingham Palace, the 22nd day of December 1982

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 36 of the Immigration Act 1971(a) as extended by section 53(5) of the British Nationality Act 1981(b), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Immigration (Jersey) (Variation) Order 1982 and shall come into operation on 1st January 1983.
2. The Immigration (Jersey) Order 1972(c) shall be varied in accordance with the provisions of the Schedule to this Order.

*N. E. Leigh,*  
Clerk of the Privy Council.

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(a) 1971 c.77.

(b) 1981 c.61.

(c) S.I. 1972/1813.

## SCHEDULE

## Article 2

## VARIATIONS TO THE IMMIGRATION (JERSEY) ORDER 1972

1. In Article 2, there shall be added at the end the following paragraph:—
  - “(2) In this Order, “the 1971 Act” means the Immigration Act 1971 and “the 1981 Act” means the British Nationality Act 1981.”.
2. After Article 3 there shall be inserted the following Article:—
  - “4. The provisions of the 1981 Act mentioned in section 53(7) (a) and (b) of that Act shall extend to the Bailiwick of Jersey with such exceptions, adaptations and modifications as are specified in the Schedule hereto.”.
- 3.—(1) The Schedule shall be varied in accordance with the following provisions of this paragraph.
  - (2) In paragraph 1(1), for “the Act or any provision thereof” there shall be substituted “the 1971 Act or any provision thereof or to any of the provisions of the 1981 Act mentioned in section 53(7) (a) and (b) of that Act”, and in paragraph 2(2), after “the following provisions” there shall be inserted “of the 1971 Act”.
  - (3) In paragraph 3(2), there shall be added at the end “, or to a United Kingdom passport”.
  - (4) After paragraph 5, there shall be inserted the heading “*THE 1971 ACT*”.
  - (5) Paragraph 7 shall be omitted.
  - (6) In paragraph 8, for sub-paragraph (4) there shall be substituted the following sub-paragraph:—
    - “(4) In section 3(9) (as inserted by section 39(3) of the 1981 Act),
      - (a) for the words “immigration rules” there shall be substituted the words “directions given under section 1(4A) above”; and
      - (b) the words “the right of abode in the United Kingdom” where they occur in paragraph (a) shall remain unaffected by paragraph 3 of this Schedule.”.
  - (7) In paragraph 12, for sub-paragraph (5) there shall be substituted the following sub-paragraph:—
    - “(5) In section 8(5) and (5A) (as respectively amended and inserted by section 39(4) of and Schedule 4 to the 1981 Act), for “order” (in all three places where it occurs) there shall be substituted “direction”.”.
  - (8) In paragraph 21, for “or who is not patrial within the meaning of the Immigration Act 1971” there shall be substituted “or who is neither a British citizen nor a Commonwealth citizen having the right of abode in the Bailiwick of Jersey by virtue of section 2(1)(b) of the Immigration Act 1971”.
  - (9) In paragraph 24, so much of sub-paragraph (2) as makes a substitution for the definition of “settled” shall be omitted.
  - (10) Paragraph 29 shall be omitted.
  - (11) After paragraph 33 there shall be added the following provisions:—
 

“*THE 1981 ACT*

*Section 39*

34. Section 39(5) and (7) shall be omitted.

*Schedule 4*

35. In Schedule 4 —

- (a) in paragraph 2, “Section 14(2)” shall be omitted;
- (b) in paragraph 2, for ‘the definitions of “entry clearance” and “work permit” ’ there shall be substituted ‘the definition of “entry clearance” ’;
- (c) in paragraph 2, after “Section 8(2)” there shall be inserted “(twice)”;
- (d) in paragraph 3(1), for “sections 13(2), 22(4)(a) and 5(a)” there shall be substituted “section”; and
- (e) in paragraph 7(a)(ii), for “ship” there shall be substituted “States”.

*Schedule 8*

36. In Schedule 8, paragraphs 6, 7 and 8 shall be omitted.”

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**EXPLANATORY NOTE**

*(This Note is not part of the Order.)*

The Immigration (Jersey) Order 1972 extends provisions of the Immigration Act 1971 to the Bailiwick of Jersey, with exceptions, adaptations and modifications. The present Order varies that Order so as to extend to the Bailiwick provisions of the British Nationality Act 1981 amending the Immigration Act 1971, with exceptions, adaptations and modifications.

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