

**The Immigration (Bailiwick of Guernsey)
(Amendment) Rules 2011**

Made

Coming into force

Laid before the States

31st May, 2011

1st June, 2011

, 2011

THE HOME DEPARTMENT, in exercise of the powers conferred upon it by section 3(2) of the Immigration Act 1971^a as extended to the Bailiwick of Guernsey by the Immigration (Guernsey) Order 1993^b hereby makes the following rules:-

Amendments to Rules of 2008.

1. The principal Rules are amended in the manner set out in the Schedule.

Transitional and savings.

2. (1) Despite these Rules coming into force, nothing in the amendments made by paragraph 1 prejudices any of the following applications –

- (a) an application made before the commencement date for entry clearance, leave to enter or remain or variation of leave to enter or remain,
- (b) an application made on or after the commencement date for an extension of stay or indefinite leave to remain, if –

^a An Act of Parliament (Chapter 77 of 1971).

^b UK S.I. 1993 No. 1796.

- (i) immediately before the commencement date, the applicant holds a valid entry clearance, a leave to enter or a leave to remain as one of the following categories of persons—
- (A) a visitor,
 - (B) a child visitor,
 - (C) a visitor for private medical treatment,
 - (D) a parent of a child at school,
 - (E) an "au pair",
 - (F) a working holidaymaker,
 - (G) a minister of religion,
 - (H) a person intending to establish himself (or remain) in business,
 - (I) a retired person of independent means, or
 - (J) the spouse or a child of a person with limited leave to enter or remain in the Bailiwick of Guernsey as a retired person of independent means, and
- (ii) the applicant is applying to extend his stay or obtain indefinite leave to remain, as the relevant category of persons referred to in item (i) (A) to (J) above, and
- (c) an application made on or after the commencement date for leave to remain or a variation of leave to enter or remain, if—

- (i) immediately before the commencement date, the applicant holds a valid entry clearance, a leave to enter or a leave to remain as –
 - (A) a spouse of another person, or
 - (B) a fiancé(e) or unmarried partner of a person present and settled in the Bailiwick of Guernsey,
- (ii) the applicant is applying for leave to remain or variation of leave to enter or remain, as one of the categories of persons referred to in item (i) (A) or (B) above, and
- (iii) on the date on which the leave to remain or variation of leave would be granted, the applicant or his sponsor is under 21 years of age but is at least 18 years of age.

(2) An application described in paragraph (1) shall be decided under the provisions of the principal Rules as if these amendments had not been made.

Interpretation.

3. (1) In these Rules, unless the context requires otherwise -

"**commencement date**" means the date set out in paragraph 5 of these Rules;

"**enactment**" means any Law, Ordinance or subordinate legislation;

"**principal Rules**" means the Immigration (Bailiwick Of Guernsey) Rules 2008^c; and

^c G.S.I. 2008 No. 26.

^d Ordres en Conseil Vol. XIII, p. 355.

"subordinate legislation" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

(2) In these Rules, unless the context requires otherwise, a reference to any enactment is a reference to the enactment concerned as from time to time amended, varied, re-enacted (with or without modification), extended or applied.

(3) The Interpretation (Guernsey) Law, 1948^d applies to the interpretation of these Rules throughout the Bailiwick as it applies to the interpretation of a Guernsey enactment.

(4) For the avoidance of doubt, unless the context requires otherwise, an expression used in these Rules has the same meaning as in the Immigration Act 1971.

Citation.

4. These Rules may be cited as the Immigration (Bailiwick of Guernsey) (Amendment) Rules, 2011.

Commencement and application.

5. These Rules come into force on the 1st June, 2011, and, subject to paragraph 2, apply to all decisions taken on or after that date.

Dated this 31 day of May, 2011



G. H. MAHY
Minister of the States Home Department
For and on behalf of the Department

EXPLANATORY NOTE
(This note is not part of the Rules)

These Rules amend the Immigration (Bailiwick of Guernsey) Rules 2008. The purpose of the Rules is to amend current and introduce new visitor categories; clarify the Business visitor category; introduce a Youth Mobility Scheme; introduce new language requirements for Ministers of Religion, persons setting up or taking over a business, and spouses, fiancés or unmarried partners of persons who are present and settled in the Bailiwick; increase the age limit from 18 to 21 with regard to marriage entry clearances except for serving members of the armed forces and their partners; remove Au Pair, Working Holidaymaker, Teachers and Language Assistants and Retired Persons of Independent Means categories. The period of validity of entry clearances issued for spouses and unmarried or same-sex partners is increased from 2 years to 27 months. Also amended are the grounds on which entry clearance or leave to enter is to be refused.

SCHEDULE

Paragraph 1

AMENDMENTS TO THE IMMIGRATION (BAILIWICK OF GUERNSEY) RULES, 2008

Part or Paragraph	Amendment
Paragraph 6	<p>Insert the following definitions in the appropriate alphabetical order –</p> <p>"abroad" or "overseas" means in any country or territory that is outside the common travel area,</p> <p>"Academic Visitor" means a person –</p> <ul style="list-style-type: none">(a) who is from an overseas academic institution, or(b) who is highly qualified within his own field of expertise, <p>seeking leave to enter the Bailiwick of Guernsey to carry out research and associated activities for his own purposes.</p> <p>"amateur" means a person who engages in a sport or creative activity solely for personal enjoyment and who is not seeking to derive a living from the activity.</p> <p>"Business Visitor" means a person granted leave to enter the Bailiwick of Guernsey under paragraphs 46G-46L.</p> <p>"Common European Framework of Reference" means the guideline entitled <i>Common European Framework of Reference for Languages: Learning, Teaching, Assessment</i> issued by the Council of Europe (Published by Cambridge University Press, 2001).</p> <p>"Entertainer Visitor" means a person granted leave to enter the Bailiwick of Guernsey under paragraphs 46S – 46X.</p> <p>"fee paying school" means a school providing primary education or secondary education to students for a fee.</p> <p>"General Visitor" means a person granted leave to to enter the Bailiwick of Guernsey under paragraphs 41 – 46.</p> <p>"national of a majority English speaking country" means a national of Antigua and Barbuda, Australia, the Bahamas, Barbados, Belize, Canada, Dominica, Grenada, Guyana, Jamaica, New Zealand, St Christopher (Kitts) and Nevis, St Lucia, St Vincent and the Grenadines, Trinidad and Tobago or the United States of America.</p>

Part or Paragraph	Amendment
	<p>"permissible activity" means any of the following activities –</p> <ul style="list-style-type: none"> (a) attending meeting or conferences; (b) arranging deals, negotiating or signing trade agreements or contracts; (c) undertaking fact finding missions provided the information is of benefit to a branch abroad only, checking details or goods; or (d) conducting site visits and promotional activities. <p>"Person Accompanying An Academic Visitor" means a person granted leave to enter the Bailiwick of Guernsey under paragraphs 46AA to 46AF.</p> <p>"Point Based System" means the system referred to by that name set out in Part 6A of the Immigration Rules for the time being in force in the United Kingdom.</p> <p>"series of events" means two or more linked events, such as a tour, or rounds of a competition, which do not add up to a league or a season.</p> <p>"Sports Visitor" means a person granted leave to enter the Bailiwick of Guernsey under paragraphs 46M - 46R.</p> <p>"United Kingdom Bachelors degree" means a programme of study or research which leads to the award, by or on behalf of a university, college or other body which is authorised by Royal Charter or by or under an Act of Parliament to grant degrees, of a qualification designated by the awarding institution to be of Bachelors degree level.</p> <p>"unmarried partner", in relation to any person, includes a partner of the same sex as that person even if the two are in a relationship registered or otherwise recognised by any country or territory as a civil partnership or a marriage.</p> <p>"Youth Mobility Scheme" means the scheme referred to in Tier 5 (Youth Mobility Scheme) Temporary Migrant of the Points Based System.</p>
Paragraph 33B(e)	Delete the words "or same sex".
Part 2	For the headings "Visitors" and "Requirements for leave to enter as a visitor" immediately following the title of this Part, substitute the headings "General Visitors" and "Requirements for leave to enter as a General Visitor", respectively.

Part or Paragraph	Amendment
Paragraph 40	<p>For this paragraph, substitute the following paragraph –</p> <p style="padding-left: 40px;">"40. For the purposes of paragraphs 41 – 46, a General Visitor includes a person living and working outside the Bailiwick of Guernsey who comes to the Bailiwick of Guernsey as a tourist." .</p>
Paragraphs 41, 42, 43, 45 and 46, and their headings	<p>For the word "visitor", substitute in each instance the words "General Visitor".</p>
Paragraph 41	<p>Immediately after subparagraph (viii), insert the word "and" and the following subparagraphs –</p> <p style="padding-left: 40px;">"(ix) does not intend to do any of the activities specified in paragraph 46G(iii), 46M(iii) or 46S(iii); and</p> <p style="padding-left: 40px;">(x) does not, during his visit, intend to marry, or to give notice of marriage; and</p> <p style="padding-left: 40px;">(xi) does not intend to receive private medical treatment during his visit; and</p> <p style="padding-left: 40px;">(xii) is not in transit to a country outside the common travel area." .</p>
Paragraph 44 and its heading	<p>For this paragraph and its heading, substitute the following –</p> <p style="padding-left: 40px;">"Requirements for an extension of stay as a General Visitor</p> <p style="padding-left: 40px;">44. Six months is the maximum permitted leave which may be granted to a General Visitor. The requirements for an extension of stay as a General Visitor are that the applicant –</p> <p style="padding-left: 80px;">(i) meets the requirements of paragraph 41 (ii)-(vii) and (ix)-(xii); and</p> <p style="padding-left: 80px;">(ii) has not already spent, nor would as a result of an extension of stay spend, more than 6 months in total in the Bailiwick of Guernsey as a General Visitor (any periods spent as a Child Visitor are to be counted as a period spent as a General Visitor); and</p> <p style="padding-left: 80px;">(iii) was not last admitted to the United Kingdom and Islands under the Approved Destination Status Agreement with China; and</p> <p style="padding-left: 80px;">(iv) has, or was last granted, entry clearance, leave to enter or leave to remain as a General Visitor or as a Child</p>

Part or Paragraph	Amendment
	Visitor.".
New paragraphs 46AA – 46AF	<p>Immediately after paragraph 46, insert the following headings and paragraphs–</p> <p>"PERSONS ACCOMPANYING ACADEMIC VISITOR</p> <p>Requirements for leave to enter as a Person Accompanying An Academic Visitor</p> <p>46AA. The requirements to be met by a person seeking leave to enter the Bailiwick of Guernsey as a Person Accompanying An Academic Visitor are that he –</p> <ul style="list-style-type: none"> (i) holds a valid entry clearance; and (ii) is genuinely seeking entry to accompany an Academic Visitor who has leave to enter under paragraphs 46G to 46L; and (iii) is seeking entry for a limited period as stated by him, not exceeding 12 months; and (iv) meets the requirements of paragraph 41 (ii)-(iv) and (ix) to (xii); and (v) will maintain and accommodate himself, or be maintained and accommodated adequately, without recourse to public funds or taking employment; and (vi) if he is 18 years of age or older, – <ul style="list-style-type: none"> (a) does not intend to study at a school wholly or partly funded by the States of Guernsey; and (b) can meet the cost of the return or onward journey; and (vii) if he is under the age of 18, – <ul style="list-style-type: none"> (a) does not intend to study at a school wholly funded by the States of Guernsey; and (b) can demonstrate that suitable arrangements have been made for his travel to, and reception and care in, the Bailiwick of Guernsey. <p>Leave to enter as a Person Accompanying An Academic Visitor</p>

Part or Paragraph	Amendment
	<p data-bbox="592 259 1380 456">46AB. A person seeking leave to enter the Bailiwick of Guernsey as a Person Accompanying An Academic Visitor may be admitted for a period not exceeding 12 months, subject to a condition prohibiting employment, provided the Immigration Officer is satisfied that each of the requirements of paragraph 46AA is met.</p> <p data-bbox="501 533 1334 591">Refusal of leave to enter as a Person Accompanying An Academic Visitor</p> <p data-bbox="592 633 1380 730">46AC. Leave to enter as a Person Accompanying An Academic Visitor is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 46AA is met.</p> <p data-bbox="501 801 1380 860">Requirements for an extension of stay as a Person Accompanying An Academic Visitor</p> <p data-bbox="592 902 1380 1032">46AD. Twelve months is the maximum permitted leave which may be granted to a Person Accompanying An Academic Visitor. The requirements for an extension of stay as a Person Accompanying An Academic Visitor are that he:</p> <ul style="list-style-type: none"> <li data-bbox="687 1070 1380 1167">(i) is genuinely seeking the extension of stay to accompany the Academic Visitor concerned for a limited period as stated by that applicant; and <li data-bbox="687 1205 1380 1263">(ii) meets the requirements of paragraph 41 (ii)-(iv), (vii) and (ix) to (xii); and <li data-bbox="687 1301 1380 1397">(iii) will maintain and accommodate himself, or be maintained and accommodated adequately, without recourse to public funds or taking employment; and <li data-bbox="687 1435 1380 1711">(iv) if he is 18 years of age or older, – <ul style="list-style-type: none"> <li data-bbox="775 1509 1380 1606">(a) does not intend to study at a school wholly or partly funded by the States of Guernsey; and <li data-bbox="775 1644 1380 1711">(b) can meet the cost of the return or onward journey; and <li data-bbox="687 1749 1380 1944">(v) if he is under the age of 18, – <ul style="list-style-type: none"> <li data-bbox="775 1816 1380 1874">(a) does not intend to study at a school wholly funded by the States of Guernsey; and <li data-bbox="775 1912 1380 1944">(b) can demonstrate that suitable

Part or Paragraph	Amendment
	<p>arrangements have been made for his travel to, and reception and care in, the Bailiwick of Guernsey; and</p> <p>(vi) has not already spent, nor would as a result of an extension of stay spend, more than 12 months in total in the United Kingdom and Islands as a Person Accompanying An Academic Visitor, a General Visitor or a Child Visitor; and</p> <p>(vii) has, or was last granted, entry clearance, leave to enter or leave to remain as a Person Accompanying An Academic Visitor.</p> <p>Extension of stay as a Person Accompanying An Academic Visitor</p> <p>46AE. An extension of stay as a Person Accompanying An Academic Visitor may be granted, subject to a condition prohibiting employment, provided the Lieutenant Governor is satisfied that each of the requirements of paragraph 46AD is met.</p> <p>Refusal of extension of stay as a Person Accompanying An Academic Visitor</p> <p>46AF. An extension of stay as a Person Accompanying An Academic Visitor is to be refused if the Lieutenant Governor is not satisfied that each of the requirements of paragraph 46AD is met."</p>
Paragraph 46A	<p>For subparagraph (i), substitute the following subparagraphs –</p> <p>"(ai) is genuinely seeking entry as a Child Visitor for a limited period as stated by him, not exceeding 6 months; and</p> <p>(i) meets the requirements of paragraph 41(ii)-(vii) and (ix)-(xii); and".</p>
Paragraph 46A	<p>Immediately after subparagraph (v), insert the word "and" and the following subparagraph –</p> <p>"(vi) if he has been accepted for a course of study this is to be provided other than at a school wholly or partly funded by the States of Guernsey."</p>
Paragraph 46D	<p>For subparagraph (i), substitute the following subparagraph –</p> <p>"(i) meets the requirements of paragraph 41 (ii)-(vii) and (ix)-(xii);".</p>
Paragraph	<p>For subparagraph (v), substitute the following subparagraphs –</p>

Part or Paragraph	Amendment
46D	<p>"(v) has not already spent, nor would as a result of an extension of stay spend, more than 6 months in total in the Bailiwick as a Child Visitor; and</p> <p>(vi) has, or was last granted, entry clearance, leave to enter or leave to remain as a Child Visitor."</p>
New paragraphs 46G – 46X	<p>Immediately after paragraph 46F, insert the following headings and paragraphs –</p> <p>"BUSINESS VISITORS</p> <p>Requirements for leave to enter as a Business Visitor</p> <p>46G. The requirements to be met by a person seeking leave to enter the Bailiwick of Guernsey as a Business Visitor are that he:</p> <ul style="list-style-type: none"> (i) is genuinely seeking entry as a Business Visitor for a limited period as stated by him: <ul style="list-style-type: none"> (a) not exceeding 6 months; or (b) if seeking entry as an Academic Visitor, not exceeding 12 months; and (ii) meets the requirements of paragraph 41 (ii)-(viii) and (x)-(xii); and (iii) intends to do one or more of the following during his visit: <ul style="list-style-type: none"> (a) to carry out a permissible activity; (b) to take part in a location shoot as a member of a film crew; (c) to represent overseas-based news media including as a journalist, correspondent, producer or cameraman, but only if he is employed or paid by an overseas company and is gathering information for an overseas publication; (d) to act as an Academic Visitor, but only if he has been working as an academic in an institution of higher education overseas, or in the field of his academic expertise immediately prior to seeking entry;

Part or Paragraph	Amendment
	<p>(e) to undertake some preaching or pastoral work as a religious worker, but only if his base is abroad and he is not taking up an office, post or appointment;</p> <p>(f) to undertake specific, one-off training in techniques and work practices used in the Bailiwick of Guernsey but only if this is not on-the-job training.</p> <p>Leave to enter as a Business Visitor</p> <p>46H. A person seeking leave to enter the Bailiwick of Guernsey as a Business Visitor may be admitted for a period –</p> <p>(i) not exceeding 6 months, or</p> <p>(ii) in the case of an Academic Visitor with entry clearance, not exceeding 12 months,</p> <p>subject to a condition prohibiting employment, provided the Immigration Officer is satisfied that each of the requirements of paragraph 46G is met.</p> <p>Refusal of leave to enter as a Business Visitor</p> <p>46I. Leave to enter as a Business Visitor is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 46G is met.</p> <p>Requirements for an extension of stay as a Business Visitor</p> <p>46J. Twelve months is the maximum permitted leave which may be granted to an Academic Visitor and six months is the maximum that may be granted to any other kind of Business Visitor. The requirements for an extension of stay as a Business Visitor are that the applicant:</p> <p>(i) meets the requirements of paragraph 41 (ii)-(viii) and (x)-(xii); and</p> <p>(ii) meets the requirements of 46G(iii); and</p> <p>(iii) if he is an Academic Visitor, has not already spent, nor would as a result of an extension of stay spend, more than 12 months in total in the Bailiwick of Guernsey as a Business Visitor; and</p>

Part or Paragraph	Amendment
	<p>(iv) if he is any other kind of Business Visitor, has not already spent, nor would as a result of an extension of stay spend, more than 6 months in total in the Bailiwick of Guernsey as a Business Visitor; and</p> <p>(v) has, or was last granted, entry clearance, leave to enter or leave to remain as a Business Visitor.</p> <p>Extension of stay as a Business Visitor</p> <p>46K. An extension of stay as a Business Visitor may be granted, subject to a condition prohibiting employment, provided the Lieutenant-Governor is satisfied that each of the requirements of paragraph 46J is met.</p> <p>Refusal of extension of stay as a Business Visitor</p> <p>46L. An extension of stay as a Business Visitor is to refused if the Lieutenant-Governor is not satisfied that each of the requirements of paragraph 46J is met.</p> <p>SPORTS VISITORS</p> <p>Requirements for leave to enter as a Sports Visitor</p> <p>46M. The requirements to be met by a person seeking leave to enter the Bailiwick of Guernsey as a Sports Visitor are that he:</p> <ul style="list-style-type: none"> (i) is genuinely seeking entry as a Sports Visitor for a limited period as stated by him, not exceeding six months; and (ii) meets the requirements of paragraph 41 (ii)-(viii) and (x)-(xii); and (iii) intends to do one or more of the following during his visit: <ul style="list-style-type: none"> (a) to take part in a particular sporting event, tournament or series of events; (b) to take part in a specific one-off charity sporting event, provided no payment is received other than for travelling and other expenses; (c) to join, as an amateur, a wholly or predominantly

Part or Paragraph	Amendment
	<p>amateur team provided no payment is received other than board and lodging and reasonable expenses;</p> <p>(d) to serve as a member of the technical or personal staff, or as an official, attending the same event as a visiting sports person coming for one or more of the purposes listed in item (a), (b) or (c).</p> <p>Leave to enter as a Sports Visitor</p> <p>46N. A person seeking leave to enter the Bailiwick of Guernsey as a Sports Visitor may be admitted for a period not exceeding 6 months, subject to a condition prohibiting employment, provided the Immigration Officer is satisfied that each of the requirements of paragraph 46M is met.</p> <p>Refusal of leave to enter as a Sports Visitor</p> <p>46O. Leave to enter as a Sports Visitor is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 46M is met.</p> <p>Requirements for an extension of stay as a Sports Visitor</p> <p>46P. Six months is the maximum permitted leave which may be granted to a Sports Visitor. The requirements for an extension of stay as a Sports Visitor are that the applicant:</p> <ul style="list-style-type: none"> (i) meets the requirements of paragraph 41 (ii)-(viii) and (x)-(xii); and (ii) meets the requirements of paragraph 46M(iii); and (iii) has not already spent, nor would as a result of an extension of stay spend, more than 6 months in total in the Bailiwick of Guernsey as a Sports Visitor; and (iv) has, or was last granted, entry clearance, leave to enter or leave to remain as a Sports Visitor. <p>Extension of stay as a Sports Visitor</p> <p>46Q. An extension of stay as a Sports Visitor may be granted, subject to a condition prohibiting employment, provided the Lieutenant-Governor is satisfied that each of the requirements of</p>

Part or Paragraph	Amendment
	<p>paragraph 46P is met.</p> <p>Refusal of extension of stay as a Sports Visitor</p> <p>46R. An extension of stay as a Sports Visitor is to refused if the Lieutenant-Governor is not satisfied that each of the requirements of paragraph 46P is met.</p> <p>ENTERTAINER VISITOR</p> <p>Requirements for leave to enter as an Entertainer Visitor</p> <p>46S. The requirements to be met by a person seeking leave to enter the Bailiwick of Guernsey as an Entertainer Visitor are that he:</p> <ul style="list-style-type: none"> (i) is genuinely seeking entry as an Entertainer Visitor for a limited period as stated by him, not exceeding six months; and (ii) meets the requirements of paragraph 41 (ii)-(viii) and (x)-(xii); and (iii) intends to do one or more of the following during his visit: <ul style="list-style-type: none"> (a) to take part as a professional entertainer in one or more music competitions; (b) to fulfil one or more specific engagements as either an individual amateur entertainer or as an amateur group; (c) to take part, as an amateur or professional entertainer, in a cultural event (or one or more of such events); (d) to serve as a member of the technical or personal staff, or of the production team, of an entertainer coming for one or more of the purposes listed in item (a), (b), or (c). <p>Leave to enter as an Entertainer Visitor</p> <p>46T. A person seeking leave to enter the Bailiwick of Guernsey as an Entertainer Visitor may be admitted for a period not exceeding 6 months, subject to a condition prohibiting employment, provided the</p>

Part or Paragraph	Amendment
	<p>Immigration Officer is satisfied that each of the requirements of paragraph 46S is met.</p> <p>Refusal of leave to enter as an Entertainer Visitor</p> <p>46U. Leave to enter as an Entertainer Visitor is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 46S is met.</p> <p>Requirements for an extension of stay as an Entertainer Visitor</p> <p>46V. Six months is the maximum permitted leave which may be granted to an Entertainer Visitor. The requirements for an extension of stay as an Entertainer Visitor are that the applicant:</p> <ul style="list-style-type: none"> (i) meets the requirements of paragraphs 41 (ii)-(viii) and (x)-(xii); and (ii) meets the requirements of paragraph 46S(iii); and (iii) has not already spent, nor would as a result of an extension of stay spend, more than 6 months in total in the Bailiwick of Guernsey as an Entertainer Visitor; and (iv) has, or was granted, entry clearance, leave to enter or leave to remain as an Entertainer Visitor. <p>Extension of stay as an Entertainer Visitor</p> <p>46W. An extension of stay as an Entertainer Visitor may be granted, subject to a condition prohibiting employment, provided the Lieutenant-Governor is satisfied that each of the requirements of paragraph 46V is met.</p> <p>Refusal of extension of stay as an Entertainer Visitor</p> <p>46X. An extension of stay as an Entertainer Visitor is to refused if the Lieutenant-Governor is not satisfied that each of the requirements of paragraph 46V is met."</p>
Paragraph 51	<p>For subparagraph (i), substitute the following subparagraph –</p> <p>"(i) meets the requirements of paragraph 41 (iii)-(vii), (ix)-(x) and (xii); and".</p>

Part or Paragraph	Amendment
Paragraph 54	<p>For subparagraph (i), substitute the following subparagraph –</p> <p style="padding-left: 40px;">"(i) meets the requirements of paragraph 41 (iii)-(vii), (ix)-(x) and (xii) and paragraph 51 (ii-v); and".</p>
Paragraph 56A	<p>For subparagraph (i), substitute the following paragraph –</p> <p style="padding-left: 40px;">"(i) the parent meets the requirements of paragraph 41 (ii)-(xii); and".</p>
Paragraph 56D	<p>For subparagraph (i), substitute the following subparagraph –</p> <p style="padding-left: 40px;">"(i) meets the requirements of paragraph 41; and".</p>
Part 4	<p>For this Part, substitute the following Part –</p> <p style="text-align: center;">"PART 4: PERSONS SEEKING TO ENTER THE BAILIWICK OF GUERNSEY UNDER THE YOUTH MOBILITY SCHEME</p> <p style="padding-left: 40px;">88. [Not used]</p> <p style="text-align: center;">YOUTH MOBILITY SCHEME</p> <p style="text-align: center;">Requirements for leave to enter as a participant in the Youth Mobility Scheme</p> <p style="padding-left: 40px;">89. The requirements to be met by a person seeking leave to enter the Bailiwick of Guernsey as a participant in the Youth Mobility Scheme are that he:</p> <p style="padding-left: 80px;">(i) holds a valid and current entry clearance for entry as a Tier 5 (Youth Mobility Scheme) Temporary Migrant; and</p> <p style="padding-left: 80px;">(ii) is genuinely seeking entry as a participant in the Youth Mobility Scheme for a limited period as stated by him, not exceeding 2 years; and</p> <p style="padding-left: 80px;">(iii) has not previously spent time in the Bailiwick of Guernsey as a Working Holidaymaker or a Tier 5 (Youth Mobility Scheme) Temporary Migrant; and</p> <p style="padding-left: 80px;">(iv) meets the requirements of paragraph 41(ii), (v) and (vii)-(xii).</p>

Part or Paragraph	Amendment
	<p style="text-align: center;">Leave to enter as a participant in the Youth Mobility Scheme</p> <p>90. Provided the Immigration Officer is satisfied that each of the requirements of paragraph 89 is met, a person seeking leave to enter the Bailiwick of Guernsey as a participant in the Youth Mobility Scheme may be admitted for a period not exceeding 2 years, subject to the following conditions:</p> <p style="padding-left: 40px;">(i) the person must maintain and accommodate himself adequately out of resources available to him without recourse to public funds; or must be maintained and accommodated adequately by relatives or friends; and</p> <p style="padding-left: 40px;">(ii) the person must not take employment as a professional sports person (including as a sports coach); and</p> <p style="padding-left: 40px;">(iii) the person must not be self-employed except where the following conditions are met:</p> <p style="padding-left: 80px;">(A) he has no premises which he owns, other than his home, from which he carries out his business, and</p> <p style="padding-left: 80px;">(B) the total value of any equipment used in his business does not exceed £5,000, and</p> <p style="padding-left: 80px;">(C) he has no employees.</p> <p style="text-align: center;">Refusal of leave to enter as a participant in the Youth Mobility Scheme</p> <p>91. Leave to enter as a participant in the Youth Mobility Scheme is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 89 is met.</p> <p>92 – 127 [Not used]".</p>
Paragraph 170	<p>For subparagraph (iva), substitute the following subparagraph –</p> <p>"(iva) if seeking leave to enter as a minister of religion, meets one or more of the following conditions –</p> <p style="padding-left: 40px;">(a) he is a national of a majority English speaking country; or</p> <p style="padding-left: 40px;">(b) he has obtained a qualification or results from an English language test, and –</p> <p style="padding-left: 80px;">(A) has provided evidence of the qualification or results</p>

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	<p>that clearly shows his name, the qualification or results obtained, and the date the qualification was awarded or the results obtained, and</p> <p>(B) the qualification or results obtained, in the opinion of an Immigration Officer, meets or exceeds the level of English language required for Tier 2 (Minister of Religion) under the Points Based System; or</p> <p>(c) he holds a degree that was taught in English and is equivalent to a United Kingdom Bachelors degree or above; and".</p>
Paragraph 173(iv)	For the expression "paragraph 170 (ii) to (iv)", substitute "paragraph 170 (ii) to (iva)".
Paragraph 196F	For the expression "194D", substitute the expression "196D".
Paragraph 201	<p>Immediately after subparagraph (x), insert the following subparagraph –</p> <p>"(xa) that he meets one or more of the following conditions –</p> <p>(a) he is a national of a majority English speaking country; or</p> <p>(b) he has obtained a qualification or results from an English language test, and –</p> <p>(A) has provided evidence of the qualification or results that clearly shows his name, the qualification or results obtained, and the date the qualification was awarded or the results obtained, and</p> <p>(B) the qualification or results obtained, in the opinion of an Immigration Officer, meets or exceeds the level of English language required for Tier 1 (Entrepreneur) Migrants under the Points Based System; or</p> <p>(c) he holds a degree that was taught in English and is equivalent to a United Kingdom Bachelors degree or above; and".</p>
Paragraphs 263 to 276 and their headings	Delete these paragraphs and their headings.
Paragraph 277	For the number "18", substitute the expression "21 (or aged under 18 if either party is a serving member of HM Forces)".
Paragraph	For item (a) of this subparagraph, substitute the following item –

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281(i)	<p>"(a) (i) the applicant is married to a person present and settled in the Bailiwick of Guernsey or who is on the same occasion being admitted for settlement, and meets the requirements of one or more of sub-items (ii) to (vi) below;</p> <p>(ii) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Lieutenant Governor for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless –</p> <p>(A) the applicant is aged 65 or over at the time he makes his application; or</p> <p>(B) the Lieutenant Governor considers that the applicant has a physical or mental condition that would prevent him from meeting the requirement; or;</p> <p>(C) the Lieutenant Governor considers there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or</p> <p>(iii) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or</p> <p>(iv) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; the UK; United States of America; and provides the specified documents; or</p> <p>(v) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and –</p> <p>(A) provides the specified evidence to show he has the qualification; and</p>

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	<p>(B) UK NARIC has confirmed that the degree was taught or researched in English; or</p> <p>(vi) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and provides the specified evidence to show –</p> <p>(A) he has the qualification; and</p> <p>(B) that the qualification was taught or researched in English; or”.</p>
Paragraph 282	For the words "the of", substitute the words "the spouse of".
Paragraph 282(a)	<p>For the expression "within paragraph 281(i)(a)", substitute the expression "who meets the requirements of paragraph 281(i)(a)(i)".</p> <p>For the expression "2 years", substitute the expression "27 months".</p>
Paragraph 282(c)	For the expression "2 years", substitute the expression "27 months".
Paragraph 284	<p>In subparagraph (v), for the expression "to the Immigration Act 1971", substitute the words "of the Immigration Act 1971 or been given directions for his removal under section 10 of the Immigration and Asylum Act 1999".</p> <p>At the end of subparagraph (viii), for the full stop, substitute the following expression and subparagraph –</p> <p>”; and</p> <p>(ix) (a) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Lieutenant Governor for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless –</p> <p>(i) the applicant is aged 65 or over at the time he makes his application; or</p> <p>(ii) the Lieutenant Governor considers that the applicant has a physical or mental condition that would prevent him from meeting the requirement; or</p> <p>(iii) the Lieutenant Governor considers there are</p>

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	<p>exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or</p> <p>(ix) (b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or</p> <p>(ix) (c) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; the UK; United States of America; and provides the specified documents; or</p> <p>(ix) (d) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and</p> <p style="padding-left: 40px;">(i) provides the specified evidence to show he has the qualification, and</p> <p style="padding-left: 40px;">(ii) UK NARIC has confirmed that the degree was taught or researched in English; or</p> <p>(ix) (e) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and provides the specified evidence to show:</p> <p style="padding-left: 40px;">(i) he has the qualification, and</p> <p style="padding-left: 40px;">(ii) that the qualification was taught or researched in English."</p>
Paragraph 287(a)(i)(a), (a)(i)(b), (b)(i)(a) and (b)(i)(b)	For the expression "for a period of 2 years", substitute in each instance the words "for a period".
Paragraph 287(b)(ii)	Delete the expression "2 year".

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Paragraph 289A(i) and (ii)	For the expression "for a period of 2 years", substitute in each instance the words "for a period".
Paragraph 289C	For the expression "287A" substitute the expression "289A".
Paragraph 289AA	For the number "18", substitute the expression "21 (or aged under 18 if either party is a serving member of HM Forces)".
Paragraph 290	<p>For subparagraph (vii), substitute the following subparagraphs –</p> <p>"(vii) (a) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Lieutenant Governor for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless –</p> <p style="padding-left: 40px;">(i) the applicant is aged 65 or over at the time he makes his application; or</p> <p style="padding-left: 40px;">(ii) the Lieutenant Governor considers that the applicant has a physical or mental condition that would prevent him from meeting the requirement; or</p> <p style="padding-left: 40px;">(iii) the Lieutenant Governor considers there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or</p> <p>(vii) (b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or</p> <p>(vii) (c) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; the UK; United States of America; and provides the specified documents; or</p> <p>(vii) (d) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by</p>

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	<p>UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and –</p> <p>(i) provides the specified evidence to show he has the qualification, and</p> <p>(ii) UK NARIC has confirmed that the degree was taught or researched in English; or</p> <p>(vii) (e) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and provides the specified evidence to show –</p> <p>(i) he has the qualification, and</p> <p>(ii) that the qualification was taught or researched in English; and</p> <p>(viii) the applicant holds a valid entry clearance for entry in this capacity."</p>
Paragraph 293(iv)	For the expression "290 (ii)-(vi)", substitute the expression "290 (ii)-(vii)".
Paragraph 295AA	For the number "18", substitute the expression "21 (or aged under 18 if either party is a serving member of HM Forces)".
Paragraph 295A(i)	<p>For item (a) of this subparagraph, substitute the following item –</p> <p>"(a) (i) the applicant is the unmarried partner of a person present and settled in the Bailiwick of Guernsey or who is on the same occasion being admitted for settlement and the parties have been living together in a relationship akin to marriage which has subsisted for two years or more, and meets the requirements of one or more of sub-items (ii) to (vi) below;</p> <p>(ii) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Lieutenant Governor for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless –</p> <p>(A) the applicant is aged 65 or over at the time he makes his application; or</p>

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	<p>(B) the Lieutenant Governor considers that the applicant has a physical or mental condition that would prevent him from meeting the requirement; or</p> <p>(C) the Lieutenant Governor considers there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or</p> <p>(iii) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or</p> <p>(iv) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; the UK; United States of America; and provides the specified documents; or</p> <p>(v) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and –</p> <p>(A) provides the specified evidence to show he has the qualification; and</p> <p>(B) UK NARIC has confirmed that the degree was taught or researched in English; or</p> <p>(vi) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and provides the specified evidence to show –</p> <p>(A) he has the qualification; and</p>

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	(B) that the qualification was taught or researched in English; or".
Paragraphs 295A(i)(b)(i) and 295B	Delete the expression "or same-sex" in each instance.
Paragraph 295B(a)	For the expression "within paragraph 295A(i)(a)", substitute the expression "who meets the requirements of paragraph 295A(i)(a)(i)". For the expression "2 years", substitute the expression "27 months".
Paragraph 295B(c)	For the expression "2 years", substitute the expression "27 months".
Paragraph 295D	At the end of subparagraph (x), for the full stop, substitute the following expression and subparagraph – "; and (xi) (a) the applicant provides an original English language test certificate in speaking and listening from an English language test provider approved by the Lieutenant Governor for these purposes, which clearly shows the applicant's name and the qualification obtained (which must meet or exceed level A1 of the Common European Framework of Reference) unless – (i) the applicant is aged 65 or over at the time he makes his application; or (ii) the Lieutenant Governor considers that the applicant has a physical or mental condition that would prevent him from meeting the requirement; or (iii) the Lieutenant Governor considers there are exceptional compassionate circumstances that would prevent the applicant from meeting the requirement; or (xi) (b) the applicant is a national of one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Canada; Dominica; Grenada; Guyana; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the Grenadines; Trinidad and Tobago; United States of America; or (xi) (c) the applicant has obtained an academic qualification (not a professional or vocational qualification), which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, from an educational establishment in one of the following countries: Antigua and Barbuda; Australia; the Bahamas; Barbados; Belize; Dominica; Grenada; Guyana; Ireland; Jamaica; New Zealand; St Kitts and Nevis; St Lucia; St Vincent and the

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	<p>Grenadines; Trinidad and Tobago; the UK; United States of America; and provides the specified documents; or</p> <p>(xi) (d) the applicant has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and</p> <p style="padding-left: 40px;">(i) provides the specified evidence to show he has the qualification, and</p> <p style="padding-left: 40px;">(ii) UK NARIC has confirmed that the degree was taught or researched in English; or</p> <p>(xi) (e) has obtained an academic qualification (not a professional or vocational qualification) which is deemed by UK NARIC to meet the recognised standard of a Bachelor's degree in the UK, and provides the specified evidence to show:</p> <p style="padding-left: 40px;">(i) he has the qualification, and</p> <p style="padding-left: 40px;">(ii) that the qualification was taught or researched in English."</p>
Paragraph 295G	<p>For paragraph (i), substitute the following paragraph –</p> <p>"(i) the applicant was admitted to the Bailiwick of Guernsey or given an extension of stay for a period in accordance with paragraphs 295AA to 295F and has completed a period of 2 years as the unmarried partner of a person present and settled here;"</p>
Paragraph 295M(i)	Delete the expression "of 2 years".
Paragraph 295M(ii)	Delete the expression "2 year".
Paragraph 302	For the expression "12 months" in both instances, substitute the expression "27 months".
Paragraph 320	<p>Immediately after subparagraph (7B), insert the following subparagraph –</p> <p>"(7C) Subparagraph (7B) shall not apply in the following circumstances:</p> <p style="padding-left: 40px;">(a) where the applicant is applying as:</p> <p style="padding-left: 80px;">(i) a person exercising rights of access to a child under paragraph 246, or</p>

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	<p>(ii) a spouse or unmarried partner under paragraph 281 or 295A; or</p> <p>(iii) a fiancé(e) under paragraph 290; or</p> <p>(iv) a parent, grandparent or other dependent relative under paragraph 317; or</p> <p>(b) where the applicant was under the age of 18 at the time of his most recent breach of the Bailiwick of Guernsey's immigration laws."</p>
Paragraph 323	<p>Immediately after subparagraph (iii), insert the word "or" and the following paragraph –</p> <p>"(iv) his leave to enter or remain is for a purpose not covered by these Rules."</p>

