



GUERNSEY STATUTORY INSTRUMENT

2011 No. 50

**The Immigration and Asylum Act 1999 (Fees)
(Bailiwick of Guernsey) Order, 2011**

Made

19th December, 2011

Coming into operation

1st February, 2012

THE HOME DEPARTMENT, in exercise of the powers conferred upon it by section 5 of the Immigration and Asylum Act 1999 as extended to Guernsey by the Immigration and Asylum Act 1999 (Guernsey) Order 2003^a, and by section 166(3) of the Immigration and Asylum Act 1999 as extended to Guernsey by the Immigration (Guernsey) Order 2011^b hereby makes the following Order:-

Fees.

1. (1) Subject to paragraphs 2 and 3, applications for –
 - (a) leave to remain in the Bailiwick (for a limited or indefinite period),
 - (b) variation of leave to remain in the Bailiwick,
 - (c) variation of leave to enter the Bailiwick,

^a Registered on the records of the Island on 1st December 2003 as amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, Recueil d'Ordonnances, Tome XXIX p. 406

^b Registered on the records of the Island on 7th November 2011

- (d) an indefinite leave stamp to be fixed on the applicant's passport (or travel document) as the result of the renewal or replacement of his previous passport (or travel document),

may only be considered by the Lieutenant-Governor if the appropriate fee (as set out in the Schedule below) has been paid.

(2) The fees for an application for a dependant set out in the Schedule only apply when the application accompanies the application of the applicant.

Exemptions.

2. The fees set out in the Schedule are not payable if, in respect of -

- (a) an application for leave to remain in the Bailiwick (for a limited or indefinite period), the applicant is -
 - (i) a person who has been granted limited leave to enter or remain in the Bailiwick of Guernsey outside the provisions of the Immigration (Bailiwick of Guernsey) Rules, 2008^c following the rejection of their claim for asylum, or the dependent of any such person, or
 - (ii) a person under the age of 18 and who, in the Department's view, is being provided with financial, or similar, assistance from the States

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

of Guernsey

- (b) an application to remain in the Bailiwick for a indefinite period, the applicant is a victim of domestic violence and who, in the Department's view, appears to be destitute, and
- (c) an application for variation of leave to enter or remain in the Bailiwick for a period of up to 6 months, the application is made to an immigration officer on arrival at a port of entry in the Bailiwick.

Multiple simultaneous applications.

3. Where two or more applications are made at the same time in respect of the same person, only one fee is payable. Where the application fees differ, the highest fee applies.

Interpretation.

4. (1) In this Order -

"**Bailiwick**" means the Bailiwick of Guernsey,

"**claim for asylum**" has the meaning given in article 141(15) of the Immigration and Asylum Act 1999 as extended to Guernsey by the Immigration and Asylum Act 1999 (Guernsey) Order 2003,

"**Department**" means the Home Department of the States of Guernsey,

"**dependant**" means in relation to a person, the spouse of that person, or a child under the age of eighteen of that person or of their spouse,

"spouse" , includes an unmarried partner ,

and other expressions shall have the same meaning as in the Immigration and Asylum Act 1999 (Guernsey) Order, 2003.

(2) The Interpretation (Guernsey) Law, 1948^d applies to the interpretation of this Order.

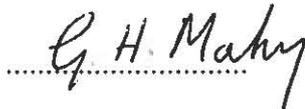
Citation.

5. This Order may be cited as the Immigration and Asylum Act 1999 (Fees) (Bailiwick of Guernsey) Order, 2011.

Commencement.

6. This Order shall come into force on the 1st day of February, 2012.

Dated this 19th day of December, 2011

A handwritten signature in black ink, reading "G. H. Mahy". The signature is written over a horizontal dotted line.

Deputy G.H. Mahy
Minister of the Home Department
For and on behalf of the Department.

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

SCHEDULE**APPROPRIATE FEES FOR APPLICATIONS**

Type of Application	Fee for applicant	Fee per dependant of the applicant
Leave to remain in the Bailiwick for an indefinite period.	£972.00	£486.00
Leave to remain in the Bailiwick for a limited period.	£550.00	£275.00
Variation of leave to remain the Bailiwick for a limited period.	£550.00	£275.00
Variation of leave to enter the Bailiwick for a limited period.	£550.00	£275.00
An indefinite leave stamp to be fixed on the applicant's passport (or travel document) as the result of the renewal or replacement of his previous passport (or travel document)	£216.00	£108.00

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order prescribes the fees payable in connection with applications for leave to remain in the Bailiwick of Guernsey for an indefinite period, leave to remain and variation of leave to remain for a limited period, variation of leave to enter for a limited period and for an indefinite leave stamp to be fixed on a person's passport (or travel document) as the result of the renewal or replacement of their previous passport (or travel document). The Order also provides for exemptions from the payment of fees in prescribed circumstances.