



GUERNSEY STATUTORY INSTRUMENT

2015 No. 55

**The Immigration (Entry through Republic of Ireland)
(Occupation and Employment) (Bailiwick of Guernsey)
Order, 2015**

Made 10th August, 2015
Coming into operation 17th August, 2015

THE HOME DEPARTMENT, in exercise of the powers conferred upon it by section 9(2) of the Immigration Act 1971^a, as extended to the Bailiwick of Guernsey by the Immigration (Guernsey) Order 1993^b, orders:-

Condition prohibiting occupation for reward or employment.

1. (1) Subject to paragraph (2), this article applies to any person who enters the Bailiwick on a local journey from the Republic of Ireland, having entered that Republic –

- (a) on coming from a place outside the common travel area,
or
- (b) after leaving the Bailiwick whilst having a limited leave to enter or remain there which has since expired.

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

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

(2) This article does not apply to –

- (a) an exempt person, or
- (b) a person who requires leave to enter the Bailiwick by virtue of section 9(4) of the Act or article 1 of the Immigration (Entry through Republic of Ireland) (Exclusions and Restrictions) (Bailiwick of Guernsey) Order, 2015.

(3) A person to whom this article applies must not engage in any occupation for reward or employment during the person's stay in the Bailiwick.

(4) The condition in paragraph (3) ceases to apply to a person if the person becomes entitled to enter or remain in the Bailiwick by virtue of section 7(1) of the Immigration Act 1988.

Meaning of "exempt person".

2. For the purposes of this Order, an "exempt person" means any person who –

- (a) has the right of abode in the Bailiwick under section 2 of the Act,
- (b) is entitled to enter or remain in the Bailiwick by virtue of section 7(1) of the Immigration Act 1988, or
- (c) arrives in the Bailiwick with leave to enter or remain in the Bailiwick which is in force and which was given to the person before that person's arrival.

Interpretation.

3. (1) In this Order, unless the context requires otherwise –

"**the Act**" means the Immigration Act 1971, as extended to the Bailiwick by the Immigration (Guernsey) Order 1993,

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

"**commencement date**" means the date specified in article 7 for the commencement of this Order,

"**enactment**" means any Act of Parliament, Law, Ordinance or subordinate legislation,

"**exempt person**" has the meaning given by article 2, and

"**the Immigration Act 1988**" means the Immigration Act 1988^c, as extended to the Bailiwick by the Immigration (Guernsey) Order 1993, and

"**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 this Order, 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.

^c

An Act of Parliament (Chapter 14 of 1988).

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

Revocations.

4. The following Orders are revoked -

- (a) the Immigration (Control of Entry through Republic of Ireland) (Guernsey) (No. 2) Order, 1972^e,
- (b) the Immigration (Control of Entry through Republic of Ireland) (Amendment) (Guernsey) Order, 1981^f,
- (c) the Immigration (Control of Entry through Republic of Ireland) (Amendment) (Guernsey) (No. 2) Order, 1982^g, and
- (d) the Immigration (Control of Entry through Republic of Ireland) (Amendment) (Guernsey) Order, 1986^h,

Transitional.

5. (1) This article applies to any person who entered the Bailiwick before the commencement date on a local journey from the Republic of Ireland, having entered that Republic –

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

^e G.S.I. No. 65 of 1972.

^f G.S.I. No. 6 of 1981.

^g G.S.I. No. 31 of 1982.

^h G.S.I. No. 5 of 1986.

- (a) on coming from a place outside the common travel area,
or
- (b) after leaving the Bailiwick whilst having a limited leave
to enter or remain there which has since expired.

(2) Despite the revocations in article 4, an employment prohibition imposed by a revoked Order before the commencement date on a person to whom this article applies continues to apply to the person as if this Order had not been made.

(3) In this article –

"a revoked Order" means an Order revoked by article 4, and

"employment prohibition" means a condition prohibiting a person from engaging in any occupation for reward or any employment.

Citation.

6. This Order may be cited as the Immigration (Entry through Republic of Ireland) (Occupation and Employment) (Bailiwick of Guernsey) Order, 2015.

Commencement.

7. This Order comes into force on the 17th day of August, 2015.

Dated this 10th day of August, 2015



Deputy Peter Gillson
Minister of the Home Department
For and on behalf of the Department

EXPLANATORY NOTE

(This note is not part of this Order)

This Order consolidates and simplifies the Immigration (Control of Entry through Republic of Ireland) (Guernsey) (No. 2) Order, 1972, as amended.

It prohibits certain persons arriving in the Bailiwick from the Republic of Ireland from engaging in any occupation for reward or employment during the person's stay in the Bailiwick.

This prohibition ceases to apply if the person becomes entitled to enter or remain in the Bailiwick by virtue of section 7(1) of the Immigration Act 1988, e.g. becomes an EEA national.

This Order comes into force on the 17th day of August, 2015.