STATUTORY INSTRUMENTS

2025 No. 1112

IMMIGRATION

The Immigration (Electronic Travel Authorisations) (Jersey) Order 2025

Made - - - - 15th October 2025

Coming into force in accordance with article 1(1)

At the Court at Buckingham Palace, the 15th day of October 2025

Present,

The King's Most Excellent Majesty in Council

His Majesty, in exercise of the powers conferred upon Him by section 86(4) of the Nationality and Borders Act 2022(**a**), is pleased, by and with the advice of His Privy Council, to order as follows:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Immigration (Electronic Travel Authorisations) (Jersey) Order 2025 and comes into force on such day or days (after this Order has been registered by the Royal Court of Jersey) as the Minister may by Order appoint, and different days may be appointed for different provisions and for different purposes.

(2) In this Order—

"the 2022 Act" means the Nationality and Borders Act 2022;

"the Minister" means the Minister for Justice and Home Affairs (of Jersey).

(3) For the purposes of construing provisions of an Act as part of the law of Jersey, a reference to an enactment which extends to Jersey is to be construed as a reference to that enactment as it has effect in Jersey.

Extension of the 2022 Act to Jersey

2.—(1) Section 75 of the 2022 Act (electronic travel authorisations) shall extend to Jersey subject to the modifications specified in Schedule 1 to this Order.

(2) Schedule 2 to this Order sets out the provisions of Section 75 of the 2022 Act as extended to Jersey by this Order.

(3) In case of any conflict between Schedule 1 and Schedule 2, the former prevails.

Richard Tilbrook
Clerk of the Privy Council

(**a**) 2022 c. 36.

SCHEDULE 1

Article 2(1)

MODIFICATIONS OF SECTION 75 OF THE NATIONALITY AND BORDERS ACT 2022 AS IT EXTENDS TO JERSEY

1. In subsection (2), in the inserted Part 1A, in section 11C—

(a) in subsections (1), (2), (3) and (4) for "the United Kingdom" in each place substitute "Jersey";

(b) for subsection (5) substitute—

"(5) The rules may impose the requirement mentioned in subsection (2) on an individual who—

(a) travels to Jersey on a local journey from a place in any of the other Islands or in the United Kingdom, and

(b) has leave to enter or remain in the place from which the individual is travelling,

only if it appears to the Minister necessary to do so by reason of differences between the immigration laws of Jersey and that place.".

(c) in subsection (6)(d)(ii) for "the United Kingdom" substitute "Jersey".

2. In subsection (2), in the inserted Part 1A, in section 11D—

(a) For the heading substitute "Electronic travel authorisations, the United Kingdom and the other Islands";

(b) For subsections (1) and (2) substitute—

"(1) The Minister may by Order make provision about the effects in Jersey of the grant or refusal under the law of any of the other Islands or the United Kingdom of an authorisation in electronic form to travel to any of the other Islands or the United Kingdom.

(2) An Order under subsection (1) may in particular make provision about—

(a) the recognition in Jersey of an authorisation granted as mentioned in subsection (1);

(b) the conditions or limitations that are to apply in Jersey to such an authorisation;

(c) the effects in Jersey of such an authorisation being varied or cancelled under the law of the United Kingdom or any of the other Islands;

(d) the circumstances in which the Minister or an immigration officer may vary or cancel such an authorisation (so far as it applies in Jersey).";

(c) omit subsection (3);

(d) in subsection (4) for "Regulations" substitute "An Order made";

(e) omit subsections (5) and (6).

3. In subsection (2), in the inserted Part 1A, after section 11D insert—

"11E Arrangements for functions in relation to ETAs

(1) The Minister may—

(a) request the Secretary of State to carry out any function in relation to the granting of ETAs conferred on the Minister or any other person ("the decision-maker"), by immigration rules made under section 11C or an Order made under section 11D, and

(b) arrange for the Secretary of State to carry out any such function.

(2) A function carried out by or on behalf of the Secretary of State under an arrangement made under subsection (1)(b) is for all purposes carried out by the decision-maker under the immigration rules or regulations concerned.

(3) Every decision or act, taken by or on behalf of the Secretary of State under such an arrangement has the same effect as if taken by the decision-maker.

(4) An arrangement under subsection (1)(b)—

(a) may be varied or terminated at any time by the Minister, but without prejudice to any decision or act already taken pursuant to that arrangement or to the making of a new arrangement, and

(b) does not prevent the performance of the function by the decision-maker concerned whilst the arrangement subsists.

(5) A variation or termination under (4)(a) may be made with immediate effect or take effect at a time specified by the Minister.

(6) This section has effect for the removal of any doubt and is not to be construed as impliedly invalidating anything done in conformity with any other enactment or rule of law, either before or after this section comes into force."

4. In subsection (3) for "Kingdom" substitute "Jersey".

5. Omit subsection (5).

SCHEDULE 2

Article 2(2)

SECTION 75 OF THE NATIONALITY AND BORDERS ACT 2022 AS EXTENDED TO JERSEY

Electronic travel authorisations

75.—(1) The Immigration Act 1971(**a**) is amended in accordance with subsections (2) to (4).

(2) After Part 1 insert—

"PART 1A

ELECTRONIC TRAVEL AUTHORISATIONS

11C. Electronic travel authorisations

(1) In this Act, "an ETA" means an authorisation in electronic form to travel to Jersey.

(2) Immigration rules may require an individual of a description specified in the rules not to travel to Jersey from any place (including a place in the common travel area), whether with a view to entering Jersey or to passing through it without entering, unless the individual has an ETA that is valid for the individual's journey to Jersey.

(3) The rules may not impose this requirement on an individual if—

(a) the individual is a British citizen, or

(b) the individual would, on arrival in Jersey, be entitled to enter without leave.

(4) In relation to an individual travelling to Jersey on a local journey from a place in the common travel area, subsection (3)(b) applies only if the individual would also be entitled to enter without leave if the journey were instead from a place outside the common travel area.

(**a**) 1971 c. 77.

(5) The rules may impose the requirement mentioned in subsection (2) on an individual who—

(a) travels to Jersey on a local journey from a place in any of the other Islands or the United Kingdom, and

(b) has leave to enter or remain in the place from which the individual is travelling,

only if it appears to the Minister necessary to do so by reason of differences between the immigration laws of Jersey and that place.

(6) The rules must—

(a) provide for the form or manner in which an application for an ETA may be made, granted or refused;

(b) specify the conditions (if any) which must be met before an application for an ETA may be granted;

(c) specify the grounds on which an application for an ETA must or may be refused;

(d) specify the criteria to be applied in determining—

(i) the period for which an ETA is valid;

(ii) the number of journeys to Jersey during that period for which it is valid (which may be unlimited);

(e) require an ETA to include provision setting out the matters mentioned in paragraph (d)(i) and (ii);

(f) provide for the form or manner in which an ETA may be varied or cancelled;

(g) specify the grounds on which an ETA must or may be varied or cancelled.

(7) The rules may also—

(a) provide for exceptions to the requirement described in subsection (2), and

(b) make other provision relating to ETAs.

(8) Rules made by virtue of this section may make different provision for different cases or descriptions of case.

11D. Electronic travel authorisations, the other Islands and the United Kingdom

(1) The Minister may by Order make provision about the effects in Jersey of the grant or refusal under the law of any of the other Islands or the United Kingdom of an authorisation in electronic form to travel to that place.

(2) An Order under subsection (1) may in particular make provision about—

(a) the recognition in Jersey of an authorisation granted as mentioned in subsection (1);

(b) the conditions or limitations that are to apply in Jersey to such an authorisation;

(c) the effects in Jersey of such an authorisation being varied or cancelled under the law of the United Kingdom or any of the other Islands;

(d) the circumstances in which the Minister or an immigration officer may vary or cancel such an authorisation (so far as it applies in Jersey).

(3) …

(4) An Order made under subsection (1)—

(a) may make provision modifying the effect of any provision of, or made under, this Act or any other enactment (whenever passed or made);

(b) may make different provision for different purposes;

(c) may make transitional, transitory or saving provision;

(d) may make incidental, supplementary or consequential provision.

11E. Arrangements for functions in relation to ETAs

(1) The Minister may—

(a) request the Secretary of State to carry out any function in relation to the granting of ETAs conferred on the Minister or any other person ("the decision-maker"), by immigration rules made under section 11C or an Order made under section 11D, and

(b) arrange for the Secretary of State to carry out any such function.

(2) A function carried out by or on behalf of the Secretary of State under an arrangement made under subsection (1)(b) is for all purposes carried out by the decision-maker under the immigration rules or regulations concerned.

(3) Every decision or act taken by or on behalf of the Secretary of State under such an arrangement has the same effect as if taken by the decision-maker.

(4) An arrangement under subsection (1)(b)—

(a) may be varied or terminated at any time by the Minister, but without prejudice to any decision or act already taken pursuant to that arrangement or to the making of a new arrangement; and

(b) does not prevent the performance of the function by the decision-maker concerned whilst the arrangement subsists.

(5) A variation or termination under subsection (4)(a) may be made with immediate effect or take effect at a time specified by the Minister.".

(3) In section 24A (deception), in subsection (1)(a)—

(a) after "obtain" insert "— (i)";

(b) after "Jersey" insert ", or (ii) an ETA".

(4) In section 33 (interpretation), in subsection (1), at the appropriate place insert—

"an ETA" has the meaning given by section 11C;".

(5) In section 126 of the Nationality, Immigration and Asylum Act 2002(**a**) (compulsory provision of physical data), in subsection (2), before paragraph (a) insert—

"(za) an ETA (within the meaning of section 11C of the Immigration Act 1971 (electronic travel authorisations)),".

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends to the Bailiwick of Jersey, with modifications, section 75 of the Nationality and Borders Act 2022.

These provisions, as extended and modified, provide for Electronic Travel Authorisations to be required for travel to the Bailiwick of Jersey.

These provisions also give the Jersey Minister for Justice and Home Affairs a power to—

(a) make an Order dealing with the effect of Electronic Travel Authorisations which are granted or refused in the United Kingdom, the Bailiwick of Guernsey or the Isle of Man; and

(b) request that the Secretary of State carries out any functions with respect to the granting of Electronic Travel Authorisations.

(**a**) 2002 c. 41.

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