

SCHEDULE 6

Article 8

Extension and modification of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

Commencement Information

II Sch. 6 comes into force in accordance with **art. 1(1)**

Column 1	Column 2
<i>Provision</i>	<i>Modification</i>
Section 1: heading	(No modification)
Section 2: heading	For “United Kingdom” substitute “Jersey”.
Section 2	For “the United Kingdom” in each place (except subsections (4)(b) and (5)(b)) substitute “Jersey”. For “Secretary of State” in each place substitute “Minister”. . For subsection (4) substitute subsection (4) set out in Schedule 6A. For subsection (9) substitute subsection (9) set out in Schedule 6A. In subsection (10) for “constable” substitute “police officer”. For subsection (12) substitute subsection (12) set out in Schedule 6A. Omit subsections (15), (16) and (17).
Section 4: heading	(No modification)
Section 4	For “the United Kingdom” in each place substitute “Jersey”. In subsection (4) omit paragraph (b). In subsection (5) for paragraphs (a) and (b) substitute “on conviction to imprisonment for a term not exceeding 14 years, to a fine or to both”.
Section 8: cross-heading	(No modification)
Section 8: heading	(No modification)
Section 8 as amended by the 2014 Act Schedule 9(1) paragraph 4	In subsection (3)(a) for “Secretary of State” substitute “Minister”. In subsection (7) –

Changes to legislation: There are currently no known outstanding effects for the The Immigration (Jersey) Order 2021, SCHEDULE 6. (See end of Document for details)

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<i>Provision</i>	<i>Modification</i>
	(a) in the definition of “deciding authority” for paragraphs (b), (c) and (d) substitute paragraphs (b) and (c) set out in Schedule 6A;
	(b) in the definition of “immigration decision” for “the United Kingdom” in each place substitute “Jersey”;
	(c) in the definition of “immigration provision” –
	(i) in paragraph (a) for “, 28C and 28CA” substitute “and 28C”;
	(ii) in paragraph (d) for “Extradition Act 1989 (c. 33) or 2003 (c. 41)” substitute “Extradition (Jersey) Law 2004”;
	(d) in the definition of “notified” for “regulations made by the Secretary of State” substitute “Order made by the Minister”;
	(e) in the definition of “safe country” for “Schedule 3 applies” substitute “Schedule 3 to this Act applies for the time being in the United Kingdom”.
	In subsection (9) for “other than the United Kingdom made by reference to the rights that a person invokes in making an asylum claim or a human rights claim in the United Kingdom” substitute “or territory other than Jersey made by reference to the rights that a person invokes in making an asylum claim or a human rights claim in Jersey”.
	Omit subsection (10).
	For subsection (11) substitute subsections (11) and (11A) set out in Schedule 6A.
	Omit subsection (13).
Section 14: cross-heading	(No modification)
Section 14: heading	(No modification)
Section 14	For subsection (2) substitute subsection (2) set out in Schedule 6A.
	For subsection (4) substitute subsection (4) set out in Schedule 6A.
Section 17: heading	(No modification)
Section 17	For “Secretary of State” in both places substitute “Minister”.
	For “the United Kingdom” substitute “Jersey”.
Section 33: cross-heading	(No modification)

Column 1	Column 2
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Section 33: heading	(No modification)
Section 33	In subsection (1) omit “—(1)”. Omit subsections (2) and (3).
Section 35: heading	(No modification)
Section 35 as amended by the 2014 Act Schedule 2 paragraph 5	For “Secretary of State” in each place substitute “Minister”. In subsection (1)(b) for “the United Kingdom” substitute “Jersey”. In subsection (2)(d) for “State other than the United Kingdom” substitute “country or territory outside Jersey”. For subsection (4) substitute subsection (4) set out in Schedule 6A. In subsection (5) for “a constable or” substitute “an”. In subsection (7) – (a) in the definition of “travel document” for “the United Kingdom to another State” substitute “Jersey to another country or territory”; (b) for “removal from the United Kingdom” substitute “removal from Jersey”. Omit subsections (8), (9), (10) and (11).
Section 45: cross-heading	(No modification)
Section 45: heading	Omit “: immigration officer”.
Section 45	For section 45 substitute section 45 set out in Schedule 6A.
Section 50: heading	(No modification)
Section 50	(No modification)
Schedule 3: heading	(No modification)
Schedule 3, paragraph 1	For sub-paragraph (1) substitute sub-paragraph (1) set out in Schedule 6A.
Schedule 3, paragraph 3	In sub-paragraph (1)(a) for “the United Kingdom” substitute “Jersey”. In sub-paragraph (2) for “this Part” substitute “Part 2 of this Schedule in the UK”.
Schedule 3, paragraph 4	For “the United Kingdom” substitute “Jersey”.

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<i>Provision</i>	<i>Modification</i>
	For “this Part” substitute “Part 2 of this Schedule in the UK”.
	For “Secretary of State” substitute “Minister”.
Schedule 3, paragraph 7	For paragraph 7 substitute paragraph 7 set out in Schedule 6A.
Schedule 3, paragraph 8	In sub-paragraph (1) for “the United Kingdom” substitute “Jersey”.
	In sub-paragraph (2) for “to which this Part applies” substitute “specified by the Secretary of State by order under Part 3 of this Schedule in the UK”.
Schedule 3, paragraph 9	For “the United Kingdom” substitute “Jersey”.
	For “to which this Part applies” substitute “specified by the Secretary of State by order under Part 3 of this Schedule in the UK”.
	For “Secretary of State” substitute “Minister”.
Schedule 3, paragraph 12	For paragraph 12 substitute paragraph 12 set out in Schedule 6A.
Schedule 3, paragraph 13	In sub-paragraph (1)(a) for “the United Kingdom” substitute “Jersey”.
	In sub-paragraph (2) for “to which this Part applies” substitute “specified by the Secretary of State by order under Part 4 of this Schedule in the UK”.
Schedule 3, paragraph 14	For “the United Kingdom” substitute “Jersey”.
	For “to which this Part applies” substitute “specified by the Secretary of State by order under Part 4 of this Schedule in the UK”.
	For “Secretary of State” substitute “Minister”.
Schedule 3, paragraph 17	For “This Part” substitute “Paragraph 18”.
	For “Secretary of State” substitute “Minister”.
	For “Secretary of State’s” in both paces substitute “Minister’s”.
Schedule 3, paragraph 17	For “Part” substitute “paragraph”.

Changes to legislation:

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