

Customs and Immigration Service

Memorandum

**To: Principal Legislative Drafter
States Greffe**

**From: Acting Director
Immigration and Nationality**

**Copy: Senior Legislative Drafter
States Greffe**

Date: 24 March 2022

Passport fees order (the “Order”) under new powers arising with the coming into force of the Immigration (Jersey) Order 2021 – drafting brief

Vires

Section 86 of the Immigration Act 2016 as extended by the Immigration (Jersey) Order 2021 (the “**2021 Order in Council**”) provides that the Minister may by Order provide for fees to be charged in respect of the exercise by the Minister of such functions in connection with applications for the issue of a passport or other travel document as may be specified.

Background to the present drafting request

The current passport fees payable in Jersey for services relating to applications for the issuance and delivery of passports in Jersey were approved in the Ministerial Decision of the Minister for Home Affairs dated 17 August 2019 ([Passport Fees: Increase - 1 October 2019 \(gov.je\)](#)) (the “**2019 MD**”) and are set out on the passport fees webpage at [Pay for your passport, Passport fees, processing times and delivery \(gov.je\)](#) .

The fees on the webpage are as follows:

Application type	Standard service cost	Expressservice cost
First adult passport (includes passport interview)	£85	£142
Replace a lost, stolen or damaged adult passport*	£85	£142
First child passport	£58.50	£122
Replace a lost, stolen or damaged child passport	£58.50	£122
Renew or amend an existing adult passport	£85	£142
Renew or amend an existing child passport	£58.50	£122
Extend a restricted validity adult passport	£85	£142
Extend a restricted validity child passport	£58.50	£122
Recorded delivery (for return of original supporting documents)	£2.34	£2.34

In addition, there is:

- A temporary emergency passport fee of £100. Pursuant to internal policy, the availability of this option is not publicly advertised on the webpage.

In the UK, fees are prescribed by the Secretary of State in [The Passport \(Fees\) Regulations 2018 \(legislation.gov.uk\)](#) made under sections 86, 87(2) and 93(6)(a) and (d) of the Immigration Act 2016.

The saving provisions in article 16 of [The Immigration \(Jersey\) Order 2021 \(legislation.gov.uk\)](#) will not extend to the 2019 MD.

It will be necessary to invoke the new Order-making power under s. 86 of the Immigration Act 2016, as extended, in order to ensure that the current passport fees in Jersey referred to in the 2019 MD and as set out on the webpage are placed on a proper statutory footing.

The proposed passport fees order should replicate the fees currently listed in the 2019 MD. The reference to those same levels of fees, where relevant, can be found in the Schedule to [The Passport \(Fees\) Regulations 2018 \(legislation.gov.uk\)](#).

Commencement

The Order is to come into force on 12 April 2022.

Acting Director
Immigration and Nationality