

SCHEDULE 9A

Article 11

Provisions of the Borders, Citizenship and Immigration Act 2009 as extended to Jersey

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*Provision as extended to Jersey*

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*Children*

**Independent Family Returns Panel.**

**54A.—**(1) The States may by Regulations establish a panel to be known as the Independent Family Returns Panel.

(2) Where Regulations have been made under subsection (1), the Minister must consult the Independent Family Returns Panel in each family returns case, on how best to safeguard and promote the welfare of the children of the family.

(3) A family returns case is a case where—

(a) a child who is living in Jersey is to be removed from or required to leave Jersey, and

(b) an individual who—

(i) is a parent of the child or has care of the child, and

(ii) is living in a household in Jersey with the child,

is also to be removed from or required to leave Jersey.

(4) Where Regulations have been made under subsection (1), the Minister may by Order make provision about—

(a) additional functions of the Independent Family Returns Panel,

(b) its status and constitution,

(c) the appointment of its members,

(d) the payment of remuneration and allowances to its members, and

(e) any other matters in connection with its establishment and operation.

(5) In this section—

“child” means a person who is under the age of 18;

“the Minister” means the Minister for Home Affairs;

references to a person being removed from or required to leave Jersey are to the person being removed or required to leave in accordance with a provision of the Immigration Acts.

**Duty regarding the welfare of children.**

**55.—**(1) The Minister must make arrangements for ensuring that—

**Status:** This is the original version (as it was originally made).

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*Provision as extended to Jersey*

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(a) the functions mentioned in subsection (2) are discharged having regard to the need to safeguard and promote the welfare of children who are in Jersey, and

(b) any services provided by another person pursuant to arrangements which are made by the Minister and relate to the discharge of a function mentioned in subsection (2) are provided having regard to that need.

(2) The functions referred to in subsection (1) are—

(a) any function of the Minister in relation to immigration, asylum or nationality;

(b) any function conferred by or by virtue of the Immigration Acts on an immigration officer.

(3) A person exercising any of those functions must, in exercising the function, have regard to any guidance given to the person by the Minister for the purpose of subsection (1).

(6) In this section—

“children” means persons who are under the age of 18;

“the Minister” means the Minister for Home Affairs.

*General*

**Short title.**

**59.** This Act may be cited as the Borders, Citizenship and Immigration Act 2009.

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