

INFORMATION FOR EU/EEA/SWISS CITIZENS AND THEIR FAMILY MEMBERS IN THE BAILIWICK OF GUERNSEY

The Bailiwick of Guernsey EU/EEA/SWISS Settlement Scheme

If you are an EU/EEA*/Swiss citizen living in the Bailiwick of Guernsey, you and your family need to apply to the Bailiwick of Guernsey Settlement Scheme if you want to continue living here after 31 December 2020. This does not affect your rights to housing, work and health care benefits. Children born or adopted after 31 December 2020, and future dependants, will also have their rights protected. There may be different arrangements for those arriving after 29 March 2019.
*European Economic Area countries: Iceland, Liechtenstein and Norway

You do not need to apply if you are a British or Irish Citizen.

Dependants who hold dual nationality (one of which is British or Irish) e.g. Latvian and British are not required to complete the form.

If you have been a resident in the Bailiwick of Guernsey, UK, Jersey or the Isle of Man (UK and Islands) for 5 years or more you are eligible for settled status. If you have been resident for less than 5 years you are eligible for pre-settled status. Permanent rights to remain granted by the Immigration & Nationality department under other provisions can be transferred to the Settlement Scheme. Indefinite Leave to Remain granted under the Bailiwick of Guernsey EU/EEA/SWISS Settlement Scheme will only be lost through an absence from the UK and Islands of more than **five** consecutive years (four years for Swiss citizens).

Confirmation of status will be provided in writing by the Immigration and Nationality division of the Guernsey Border Agency.

The Bailiwick of Guernsey EU/EEA/Swiss Settlement Scheme covers all EU/EEA/Swiss citizens living in the Bailiwick of Guernsey and their close family members. Family members do not need to be from the EU/EEA/Switzerland; they can be another nationality, but must complete their own application form. You must be in a relationship with an EU/EEA/Swiss citizen as their spouse, civil partner or unmarried partner. You can also be related to an EU/EEA/Swiss citizen, their spouse or civil partner as their: Child, grandchild or great-grandchild under 21 years old, dependant child over the age of 21, dependant parent, grandparent or great-grandparent. Close family members not living in the Bailiwick of Guernsey by 31 December 2020 will be able to join their EU/EEA/Swiss family member in the Bailiwick of Guernsey at any point in the future as long as the relationship still exists. Family members who are not EU/EEA/Swiss citizens will need to show their relationship to an EU/EEA/Swiss citizen living here.

It is important to note that the EU/EEA/SWISS Settlement Scheme will be operated under Immigration legislation and is therefore entirely separate to the Population Management Law which operates in Guernsey, and any domestic laws controlling employment and residence in place in Alderney and Sark, which will continue to apply as now.

What do I need to do?

You will need to complete a short application form, we will be able to help you with the application if you need it. The application asks for basic information about you such as; name, address, passport number, national ID card and social security number.

- Please ensure you have a valid passport or national ID card.
- You will need to provide the month and year you arrived in the UK and Islands. If you were resident in the UK, Jersey or the Isle of Man before arriving in the Bailiwick of Guernsey this will count towards your 5 years continuous residence, as long as your continuous residence has not been broken. Continuous residence generally means that – over 5 consecutive years

– you have not been outside the UK and Islands for more than 6 months in any 12 month period. There is no restriction on the number of times you can be outside the UK and Islands, provided that the total period of time outside the UK and Islands is not more than 6 months, in any 12 month period.

- You must declare **all** criminal convictions or court case(s) pending wherever recorded and whenever they occurred. Criminal checks will be undertaken on all applicants aged 18 and over and failure to declare criminal convictions or court cases pending may affect your application. If you have been convicted of a minor crime, for example you have had a speeding fine, you will still be eligible for settled or pre-settled status. You may still get settled or pre-settled status even if you have other convictions. This will be judged on a case-by-case basis. If you have been to prison, you will usually need at least 5 years' continuous residence from the day you were released to be considered for settled status.

The application process

Applications must not include dependants, all individuals must apply on their own forms. Children under the age of 16 will need a parent/guardian to complete the application form on their behalf. You will need to hand in the application and valid passport or national identity card **in person** to;

Guernsey – Immigration & Nationality, Guernsey Border Agency, New Jetty, White Rock,
St Peter Port, Guernsey GY1 2LL 01481 741420 immigration@gba.gov.gg

Alderney – States of Alderney **Sark** - Constable's Office

Please direct any enquiries to the Immigration & Nationality department in Guernsey.

For the purpose of the Bailiwick of Guernsey Settlement Scheme we will electronically access personal information held by the Social Security Department to facilitate the lawful processing of specified data. This includes your Social Security Number, Date of Birth, your contributions history or family allowance claim. We will not be able to grant you a Status under the Bailiwick of Guernsey Settlement Scheme unless we have enough information and your permission to use that information as required. If you do not consent to us contacting the Social Security Department, you are able to approach them yourself to obtain a record of your contributions history/family allowance claim or provide other forms of evidence to cover the period claimed.

Some examples of the type of evidence we will accept are listed below:

- Letter from your employer(s) confirming your dates of employment
- Tenancy agreement(s) confirming your dates of tenancy(ies)
- Annual bank statements or account summaries covering 12 month periods

Documents such as monthly bank statements, wage slips or utility bills will be considered evidence for residence during the month specified within them. This list is not exhaustive and you are encouraged to contact us if you have any queries. As Sark residents do not come within the scope of the Social Security Department, they will need to provide evidence as listed above in support of their application



The Committee for Home Affairs will process any personal data which you provide, via this form, in accordance with the Data Protection (Bailiwick of Guernsey) Law, 2017. Further information about how your personal data is processed by the States of Guernsey can be found at www.gov.gg/GBA EU/EEA/SWISS Settlement Scheme Fair Processing notice.

www.gov.gg/GBA EU/EEA/SWISS Settlement Scheme Application Form and Guidance Notes