

SETTLED
STATUS
EU/EEA/SWISS



PRE-SETTLED
STATUS
EU/EEA/SWISS

Immigration & Nationality

A Division of the Guernsey Border Agency

APPLICATION FOR SETTLED AND PRE-SETTLED STATUS FOR EU/EEA/SWISS CITIZENS AND THEIR FAMILY MEMBERS

This form should be completed by applicants who are in the Bailiwick of Guernsey (Guernsey, Alderney & Sark) and:

- are an EU/EEA*/Swiss citizen **or**
- are a family member of an EU/EEA/Swiss citizen

* European Economic Area countries: Iceland, Liechtenstein and Norway

There is no fee for this application

Applications must not include dependants. All applicants must apply on their own forms.

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, are not required to complete a form (for example, a person who holds both British and Latvian nationality).

A permanent residence document for the purpose of this form includes any notice in writing from an Immigration Authority in the Bailiwick of Guernsey, the United Kingdom, Jersey or the Isle of Man (the UK and Islands) showing that you may remain there ***indefinitely***. Permanent rights to remain already granted by any of those Immigration Authorities are able to be transferred to this 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).

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.

The form should be completed fully and returned in person, together with any supporting documentation to:

***Immigration & Nationality,
Guernsey Border Agency,***

***States of Alderney
Alderney***

***Constable's Office
Sark***

New Jetty,

White Rock,

St Peter Port,

Guernsey, GY1 2LL

Telephone: 01481 741420

Email: immigration@gba.gov.gg

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

Documents to support your application

You should submit your ***valid*** passport or national identity card with your application. For child applications under 16 years old, we will also need to see their original birth certificate.

If you have received a permanent residence document, you should include that as well.

If you do not already have permanent residence, we will need evidence of your residence so far. In the majority of cases (and with your permission), your residence can be confirmed by this Department through checks conducted with Revenue Service and Social Security of the States of Guernsey. However, if we require further evidence of your period of residence, we will contact you.

Please contact us if you need to travel before you have received a decision on your application.
Please complete in **CAPITAL LETTERS** and in **black ink**. **Guidance notes are provide at the back of this form to help you complete each section.**

Section 1 Applicant Details

Gender: Male Female

Surname/Family name (as appears on your passport/ID card): _____

Forename(s) (as appears on your passport/ID card): _____

Any other names by which you have been known: _____

Date of birth: Day _____ Month _____ Year _____

Social Security number (available on health benefit card): _____

Daytime telephone number(s): _____

Email address: _____

Section 2 Your Nationality

2.1 Nationality: _____

2.2 Passport/ID card Number: _____

2.3 Date of issue: _____ Date of expiry: _____

2.4 If you have ever held any additional nationality please include details below

2.5 Do you hold a valid permanent residence document issued by Immigration?

Yes No

If 'Yes' please submit the document with your application

2.6 If you are applying as the family member or dependant of an EU/EEA/Swiss citizen, how are you related to them?

Please provide their Full name: _____

Date of birth: Day _____ Month _____ Year _____

Nationality: _____

Passport/ID Number: _____ Date of issue: _____ Date of expiry: _____

Section 3 Your Residence in the Bailiwick of Guernsey

3.1 Current address: _____

3.2 Date you arrived in the Bailiwick of Guernsey: Month _____ Year _____

If you were resident in the UK, Jersey or the Isle of Man before arriving in the Bailiwick of Guernsey please provide details including dates:

3.3 Have you had any absences of 6 months or more in any 12 month period outside the UK and Islands since you arrived?

Yes No

If 'Yes' please give details below and continue on a separate sheet if necessary:

Dates of absence(s)	Reason(s) for absences

Section 4 Criminal Convictions

This section must be completed by applicants aged 18 and over. We will carry out criminal record checks on all applicants. If you answer 'YES' to any of the questions below you must give details. Continue on a separate sheet if necessary.

4.1 Have you ever been convicted of a criminal offence in the UK and Islands?

Yes No

Nature of offence: _____

Date sentenced: _____

Sentence given: _____

Where sentenced: _____

4.2 Have you ever been convicted of a criminal offence in any other country?

Yes No

Nature of offence: _____

Date sentenced: _____

Sentence given: _____

Country where sentenced: _____

4.3 Are you currently on trial or awaiting trial for an offence outside of the Bailiwick of Guernsey?

Yes No

Nature of alleged offence: _____

Country of alleged offence: _____

4.4 Have you had a criminal conviction outside the UK and Islands that involved a violent offence or a drug related offence or a prison sentence of 12 months or longer?

Yes No

Nature of offence: _____

Date sentenced: _____

Sentence given: _____

Country where sentenced: _____

4.5 Have you ever supported, encouraged or been involved in terrorist activities, war crimes, crimes against humanity or genocide or an extremist organisation?

Yes No

Section 5 Revenue Service or Social Security consent

A record of social security contributions or family allowance claim (for those applicants under school age or aged 19 and under and still in full-time education at school, college or university) is a good way to evidence your period of residence.

If you answer 'yes' to the question below we will send your date of birth and social security number to Revenue Service or Social Security who will provide us with a record of your contributions history or family allowance claim and residency address. You have the right to withdraw your consent for this data sharing at any time by contacting us as outlined in the guidance notes.

If you do not wish us to make enquiries on your behalf, and answer 'no' to the question below, alternative options are provided in the guidance notes for this section.

Are you happy for us to contact Guernsey Revenue Service or Social Security on your behalf in support of your application?

Yes No

Section 6 Declaration

You must now read the declaration below and sign it. It must be signed by you (the applicant) and not by a representative or other person acting on your behalf. If you are under 16, your parent or guardian must sign.

- The information I have given is complete and is true to the best of my knowledge.
- I confirm that if, before this application is decided, there is material change in my circumstances or new information relevant to this application becomes available I will inform the Immigration and Nationality Division of the Guernsey Border Agency.
- I understand that all information given by me will be treated in confidence but may be disclosed to the Police and the UK Home Office.
- The details of my settled or pre-settled status may be shared with the UK Home Office or Immigration authorities in Jersey or the Isle of Man. This is to ensure that I may transit easily through immigration control points in the Common Travel Area.

We will not be able to grant you a Status under the Bailiwick of Guernsey EU Settlement Scheme unless we have enough information.

I am aware that it is an offence under the Immigration Act 1971 (the Act), as extended to the Bailiwick of Guernsey, to make to a person acting in execution of the Act a statement or representation which the maker knows to be false or does not believe to be true, or to obtain, or seek to obtain, leave to remain in the Bailiwick of Guernsey by means which include deception.

Signed: _____ Date: _____

Name in capitals: _____

Relationship if under 16: _____ Parent/Guardian Date of Birth: _____



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.

GUIDANCE NOTES FOR APPLICATION FOR SETTLED AND PRE-SETTLED STATUS FOR EU/EEA/SWISS CITIZENS AND THEIR FAMILIES

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.

If you have been a resident in the Bailiwick of Guernsey, the United Kingdom, Jersey or the Isle of Man (the 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. **Confirmation of status will be provided in writing by the Immigration and Nationality division of the Guernsey Border Agency.**

Permanent rights to remain already granted can be transferred to the Settlement Scheme. There is an advantage to this in that if you leave the UK and Islands you retain that status for 5 years (4 years in the case of a Swiss national) and can return to resume your residence at any time within that period. Permanent rights to remain granted under any other provision are lost after 2 years' absence

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 come from anywhere in the world and must complete their own application form.

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 who qualify under this scheme 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.

What do I need to do?

You will need to complete the enclosed application form. You will be able to get help with the application if you need it. The application form asks for information about you such as; name, address, passport or national ID card details, information regarding criminal convictions including any court cases pending and your social security number.

- Please ensure you have a valid passport or national ID card.
- You will need to know the month and year you arrived in the Bailiwick of Guernsey, UK, Jersey or Isle of Man.
- You will be required to declare any criminal convictions committed in any country as criminal checks will be undertaken on all applicants aged 18 and over. Failure to declare criminal convictions may affect your application.

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 at;

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

Section 1 - Applicant Details

This section must be completed by all applicants.

Social Security number not applicable to Sark residents.

Section 2 - Your Nationality

2.1 – 2.5 must be completed by all applicants.

2.2 This refers to your valid passport or national ID card if you do not have a passport.

2.5 A valid permanent residence document issued by Immigration includes the following;

A Letter confirming that indefinite leave to enter/remain or EEA settlement (under previous scheme), has been granted. Permanent Residence Card issued in the UK.

2.6 Must be completed if you are applying as the family member of an EU/EEA/Swiss national. 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

A close family member who is living with, or who will join, EU/EEA/Swiss citizens in the Bailiwick of Guernsey by 31 December 2020 will also be able to apply for settled status, after 5 years in the Bailiwick of Guernsey. A close family member can come from anywhere in the world and does not need to be from the EU/EEA/Switzerland. British family members do not need to apply. Close family members (spouses, civil and unmarried partners, dependent children and grandchildren, and dependent parents and grandparents) will be able to join EU/EEA/Swiss citizens in the Bailiwick of Guernsey (where the family relationship existed on 31 December 2020)

Section 3 - Your Residence in the Bailiwick of Guernsey

This section must be completed by all applicants.

3.2 Please provide the month and year that you arrived in the Bailiwick of Guernsey. If you were resident in the UK, Jersey or 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, see 3.3.

3.3 You will need to have been continuously resident in the Bailiwick of Guernsey, UK, Jersey or Isle of Man for 5 consecutive years to be eligible to get settled status straightaway. If you have been continuously resident in the Bailiwick of Guernsey, UK, Jersey or Isle of Man for less than 5 years you will be eligible for pre-settled status which allows you to stay, generally until you have reached the 5 years needed to be eligible for settled status. If your continuous residence has been broken, time spent in the Bailiwick of Guernsey, UK, Jersey and Isle of Man before the time it was broken cannot be counted. Continuous residence is broken if you have been subject to a deportation order, it can also be broken by periods of imprisonment. Continuous residence generally means that – over 5 consecutive years – you have not been outside the Bailiwick of Guernsey, UK, Jersey or Isle of Man for more than 6 months in any 12 month period. There is no restriction on the number of times you can be outside the Bailiwick of Guernsey, UK, Jersey or Isle of Man, provided that the total period of time outside the UK is not more than 6 months, in any 12 month period.

Section 4 - Criminal Convictions

This section must be completed by all applicants aged 18 and over. 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 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.

Section 5 – Revenue Service or Social Security consent

A record of social security contributions or family allowance claim (for those applicants under school age or aged 19 and under and still in full-time education at school, college or university) is a good way to evidence your period of residence.

If you consent to us approaching Revenue Service or Social Security on your behalf, we will send your date of birth and social security number to Revenue Service or Social Security who in turn will provide us with a record of your contributions history or family allowance claim and residency address. You have the right to withdraw your consent for this data sharing at any time by contacting us as immigration@gba.gov.gg or 01481 741420.

If you do not consent to us contacting Revenue Service or Social Security, 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.

Sark residents will need to provide evidence as listed above in support of their application.

For Official use only:

Type of application:

Settled status

Pre-settled status

Settled status granted:

Pre-settled status granted:

YES

YES

NO

NO

Comments:

RS/SS

WI

P

Issued by IO: _____

Date: _____