

STATES OF JERSEY



FRENCH NATIONAL IDENTITY CARDS AS VALID TRAVEL DOCUMENTATION FOR FRENCH CITIZENS

Lodged au Greffe on 1st May 2025
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STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to request the Minister of Justice and Home Affairs, subject to the existing safeguards to protect the integrity of the Common Travel Area, to maintain the scheme whereby French citizens can use a valid French national identity card to travel to Jersey.

DEPUTY SIR P.M. BAILHACHE OF ST. CLEMENT

REPORT

Introduction

1. Brexit had a very deleterious effect upon the number of French day-trippers coming to Jersey. A consequence of the new rules which came into force post-Brexit was that it was no longer possible for French citizens to come to Jersey using only their French National Identity cards. A passport was required. Unfortunately, many French citizens (it is estimated, about half) do not possess a passport and rely upon their identity cards when identification is required. The result was that the number of French day-trippers plummeted. Statistics from Visit Jersey show that only 14,915 French day-trippers arrived in 2022,¹ whereas 31,440 arrived in 2023², and 42,100 arrived during 2024³, travelling either on Condor Ferries or Manche-Iles Express. There is no doubt that the increase in numbers during 2023 and 2024 was due to action taken in April 2023 by the Minister's predecessor, Deputy Helen Miles, to permit French National Identity cards to be used for travel instead of, or as well as, a passport.
2. Day-trippers make an important contribution to the visitor economy. Visit Jersey estimates that in 2024 the total amount spent by French day trippers was £4.5 million, a significant increase from the 2023 estimate of £3 million. This expenditure will have been of considerable benefit to small and medium sized businesses in the Island. Of course, not all that expenditure will relate to travellers with a National Identity card, but it is thought that more than half will come from such day trippers. To stay longer than a day requires the traveller to have a passport, and such visitors are not included in the above statistics.

The statutory background

3. The Immigration (Jersey) Order 2021, which extends to Jersey parts of the UK Immigration Act 1971, confers power on the Minister to make Rules prescribing the administrative arrangements whereby non-British and Irish citizens can be given leave to enter Jersey. It is a broad power. *Inter alia* –
 - A French national can be granted leave to enter Jersey using a National ID card
 - Leave can be granted on a limited basis (*e.g.* for a day-trip)
 - Leave to enter can be restricted to Jersey (*i.e.* leave is not granted to enter the United Kingdom or other parts of the Common Travel Area)
 - A condition can also be added requiring the person to report to an immigration officer should he/she travel in breach of the condition to the UK or another CTA jurisdiction. That would empower the UK Border Force to refuse leave to enter the UK should a French national be discovered to have travelled there unlawfully.
4. Based on those powers, and after consultation with the UK immigration authorities, the Minister's predecessor established a scheme allowing French citizens in

¹ Based on March-December data, when the Exit Survey re-started after the Covid-19 pandemic.

² [Visitor Figures | Visit Jersey Trade & Media](#), see Annual Visitor Figures for 2023, p. 8

³ [December 2024 Visitor Figures](#), Table, p. [6]

possession of a French National Identity card to use that card to travel to Jersey. It was achieved by an amendment to Paragraph 11 of the Immigration Rules.

Paragraph 11 states –

“11. A person must, on arrival in Jersey, produce on request by an Immigration Officer:
(i) A valid national passport or, subject to paragraph 11A, other document satisfactorily establishing their identity and nationality; ...”

Paragraph 11A states –

“11A. A national identity card is not valid for the purposes of Paragraph 11(i), except where the holder is one of the following:

... (i) a French national who is travelling directly to Jersey from France on a commercial passenger ferry and:

- (i) holds a valid French national identity card which is within the validity dates printed on the card; and
- (ii) travels to Jersey on a day trip with return travel to France booked for the same day; and
- (iii) travelling between 22 April 2023 and 30 September 2025, inclusive; and
- (iv) is not transiting through Jersey to another jurisdiction in the Common Travel Area.”

5. The scheme also involved an MOU with Condor Ferries and Manche Iles Express in relation to identified routes, namely St Malo-Jersey, Granville-Jersey, Carteret-Jersey and Dielette-Jersey. Under that MOU the ferry companies agreed to several safeguards, namely –

- to ensure that sufficient information was available on their websites about the scheme
- to explain that it applied only to French nationals purchasing a day return ticket for travel to Jersey and not to other nationalities seeking to travel on an ID card
- to identify passengers not checking in for the return journey and to notify the Immigration Department immediately
- to accept ID cards for travel only where there is a scheduled return journey from Jersey on the day of travel
- to return to France any passengers refused leave to enter Jersey
- to present to the Immigration Department a full passenger manifest identifying those day return tickets travelling on ID cards prior to arrival in Jersey.

It is assumed that a similar MOU has now been entered with DFDS.

How the scheme has worked

6. It is understood that during the last two years a very small number of French day-trippers have failed to appear for their return trip. In each case, they have been apprehended and taken to the harbour for return to France. There is no evidence that

any day-tripper has unlawfully travelled on to the United Kingdom or other parts of the CTA.

Electronic Travel Authorisation (ETA)

7. The introduction of the United Kingdom's Electronic Travel Authorisation (ETA) has caused the Immigration Department concern as to whether the scheme should continue beyond September 2025. ETA, which came into force in the UK on 2 April 2025, requires most foreign nationals wishing to visit the UK to obtain advance travel permission to do so. This digital authorisation will allow the UK Government to pre-screen individuals before they reach the border. ETA aims to strengthen the UK's immigration and security framework. It aligns with other digital entry systems such as the USA's Electronic System for Travel Authorization (ESTA) and the European Union's European Travel Information and Authorisation System (ETIAS), the latter due to come into force later in 2025 or 2026. ETA is designed primarily for short-term visitors. UK and Irish citizens are exempt, as are children visiting the UK with a French school group, and some others. Application for an ETA can only be made with a valid passport. ID cards do not contain the same information as a passport.
8. The concern expressed to me by immigration officials relates to the integrity of the Common Travel Area. Officials do not wish Jersey to be seen as a weak point in the security of the CTA. This is an understandable concern because, if Jersey were to be perceived as a threat to the integrity of the CTA, it would be possible for the UK to exclude the Island from it; a passport would then be necessary to gain entry to the United Kingdom. However, there is no doubt that exclusion would not be imposed without notice, and the appropriate action could be taken to allay concerns.
9. A balance must be struck between the legitimate desire to protect the integrity of the CTA and the economic interests of Jersey. Although ETA provides an extra level of security for the CTA, the fact is that the risk level in relation to the dispensation for French ID cards has not changed with its introduction. Following the introduction of the ETA it is neither more nor less likely that an individual will ignore the condition of the leave to enter and travel on to the United Kingdom. If the dispensation in relation to French ID cards remains, the risk level is the same. The scheme has worked for two years without any untoward consequences, and there is no reason to believe that it would not continue to do so if the dispensation remained in place.

The position of the Republic of Ireland

10. In relation to the level of risk, it is relevant also to consider the position of the Republic of Ireland. Ireland is in the unusual position of being part of the CTA but also part of the European Union. It is not, however, part of the Schengen Area which includes all the member states of the EU except Ireland and Cyprus. Generally speaking, there are no border checks between Schengen countries. A person only passes through border checks at the external border of the Schengen Area.
11. A French person travelling from France (in the Schengen Area) to Ireland therefore passes an immigration checkpoint. Passing a checkpoint, the traveller must show a passport **or a national identity card** (my emphasis). No ETIAS is required because both countries are in the EU. A French person may therefore, if travelling to Ireland,

enter the CTA on production of a national identity card. That is no different in principle from a French person entering Jersey (also in the CTA) on showing a valid national identity card in accordance with the dispensation under the current Jersey Immigration Rules.

12. The parallel can be taken further. French citizens entering Ireland can cross the land border into Northern Ireland, and thus enter the UK, without passing through any immigration control. They can do so because of the desire to preserve the Good Friday Agreement. Equally, French citizens entering Jersey could in fact continue to the UK without passing through any immigration control. In both cases, however, they would be under a legal obligation to enter the UK in accordance with the UK's immigration framework. If the individual needed an ETA to enter the UK, that would be an immigration requirement.
13. The only difference is that, in relation to travel from Ireland to the UK, it is only intelligence-led detection that might lead the authorities to identify and apprehend an individual who was attempting to circumvent UK border controls. Without that intelligence, the likelihood of detection is remote. In relation to an attempt to circumvent border controls by travelling from Jersey to the UK, the administrative measures put in place under the dispensation contained in the Immigration Rules would by contrast lead to the immediate identification of the individual concerned. Jersey is a small place, and experience has shown that, in the very small number of cases where a French day-tripper did not present himself at the harbour at the appropriate time, it was possible not only to identify but also to detain the individual and procure his return to France. The risk to the integrity of the CTA from continuing the dispensation is minimal. Indeed, it is strongly arguable that that the dispensation could even be extended to short stay visitors without any undue risk. That would be even more beneficial for the visitor economy.
14. Jersey has an international identity which is different from that of the UK. That was acknowledged in a 2007 Framework Agreement between the Chief Minister and the Secretary of State for Constitutional Affairs. The interests of the UK clearly lie in strengthening the security of the border. The interests of Jersey lie not only in strengthening that security, but also in protecting the Island's visitor economy. As mentioned above, there is a balance to be struck. The risks to the integrity of the CTA by continuing the dispensation for French citizens holding a National Identity Card are very small. The balance tips the other way. The Assembly is therefore invited to request the Minister for Justice and Home Affairs to exercise her power under the Immigration Order to maintain in force the dispensation for French visitors in the economic interests of the Island.
15. There are no adverse financial consequences to the adoption of this proposition. Indeed, there is potential financial advantage to so doing.

Financial and staffing implications

It is anticipated that there will be no financial or staffing implications as the current scheme could simply be carried forward.

Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.