

Guide to the new population management regime

Service area / [Employment, Pensions and Incentives](#)

Location / [Guernsey](#)

Date / [March 2017](#)

The Population Management (Guernsey) Law, 2016 is currently scheduled to come into effect in April 2017.

This new law will require everyone who lives and / or works in Guernsey to hold either a valid Permit or Certificate evidencing that they are lawfully housed and / or working on the Island.

Certificates

Certificates are issued to lawful householders (persons who have a right to live and work anywhere in Guernsey). There are essentially three types of Certificate:

- **Open Market Certificates (Parts A, B, C, D)**

Anyone can live and work in Guernsey indefinitely if they live in a Part A, B, C or D dwelling on the Open Market register and they are the owner / lessee of that dwelling.

Open Market Certificate holders can accommodate immediate family members (Part A Certificate holders can also house extended family members).

- **Established Resident Certificate**

Once a person has held a Long Term Employment Permit (see below) for 8 years, they will be issued with an Established Resident Certificate. Provided the person does not leave Guernsey for the next 6 years, they will then be entitled to a Permanent Resident Certificate.

Established Resident Certificate holders can live in either Open or Local Market accommodation and will not have any conditions / restrictions in relation to employment (whereas they would have been tied to a particular job under their Long Term Employment Permit).

Established Resident Certificate holders can accommodate immediate family members.

- **Permanent Resident Certificate**

Once a person has held an Established Resident Certificate for 6 years they will be issued with a Permanent Resident Certificate. This will remain valid for life and will enable the holder to return to the Island regardless of any periods spent away from Guernsey.

Permanent Resident Certificate holders can live in either Open or Local Market accommodation and will generally have no conditions / restrictions in relation to employment or who can be accommodated by them.

Permanent Resident Certificates have essentially replaced Status Declarations under the old regime – therefore local residents with a “birth right” to live in Guernsey will be issued with Permanent Resident Certificates.

Permits

Permits are issued to persons whose entitlement to live and work in Guernsey is conditional i.e. upon working in a particular job (employment permits) or living with a particular person (residence permits).

Employment permits

There are essentially four types of employment permit as follows:

- **Short Term (STEPs)**

STEPs are issued to cover a local manpower shortage for up to 1 year and are renewable up to a maximum of 5 years' aggregate residence.

STEPs will be conditional upon a particular full-time job and a particular employer.

STEP holders can live in Open or Local Market accommodation but it must be shared with the property householder. STEP holders cannot accommodate others.

- **Medium Term (MTEPs)**

MTEPs will be issued where skills / qualifications don't exist locally or there is a shortage of those skills locally.

MTEPs are issued for up to 5 years and are non-renewable. MTEPs are conditional upon a particular full-time job and a particular employer.

MTEP holders can live in Open or Local Market accommodation and can accommodate immediate family members.

- **Long Term (LTEPs)**

LTETs are issued where skills / qualifications don't exist locally and there is a shortage of those skills elsewhere.

LTETs are issued for up to 8 years and will be conditional upon a particular full-time job and a particular employer.

LTET holders can live in Open or Local Market accommodation and can accommodate immediate family members.

LTET holders can expect to become Established Resident Certificate holders (see above) upon expiry of the LTET.

- **Open Market Employment Permits**

- a. **Part A – private family homes**

Owners of Open Market family homes can employ household staff on a 'live-in' basis, who will then be able to work for the householder on a long term basis. Part A employees cannot accommodate others and will not build up any rights to live in Local Market accommodation no matter how long they live / work there.

- b. **Parts B & C – hotels and nursing / residential homes**

Employees who live and work in Open Market hotels / nursing homes can stay for up to a maximum of 5 years' continuous residence provided they remain living on site. Parts B & C employees cannot accommodate others and will not build up any rights to live in Local Market accommodation throughout their employment.

Residence permits

Residence Permits will be issued to persons wishing to live in Guernsey who have a close family connection to a lawful householder e.g. the spouse / child of an Employment Permit holder. There are essentially four types of Resident Permit as follows:

- **Family Member Resident Permit**

Such person would be issued with a Family Member Resident Permit and would be able to remain on Island for the duration of the Employment Permit provided they continue to reside with the family member. Such Permit holders are not householders themselves and so cannot accommodate others.

- **Discretionary Resident Permit**

Discretionary Resident Permits have replaced compassionate housing licences under the new regime. They have a variable duration – expiry may be linked to a certain date or event and they will be renewable in some circumstances.

Discretionary Residence Permits can be issued to cover either temporary or long term residence in either Open or Local Market accommodation and they can have a wide range of conditions.

- **Established Resident Permit**

Established Resident Permits are issued for immediate family members who have completed 8 years consecutive Local Market residence with a named lawful householder.

Established Resident Permit holders will not be householders themselves (unlike Established Resident Certificate holders) and so they cannot accommodate others.

As with Established Resident Certificate holders, Established Resident Permit holders will have no right of return to the Island if they leave within 6 years after the Permit is issued.

As with Established Resident Certificate holders, Established Resident Permit holders will be issued with Permanent Resident Certificates once they have spent 14 years on the Island (8 years + 6 years under the Established Resident Permit).

- **Open Market Resident Permit**

Open Market Resident Permits allow immediate (or extended in relation to Part A properties) family members to live with their family member indefinitely provided the family member continues to be a lawful Open Market householder. Such Permit holders will not be householders themselves and so will not be able to accommodate others.

Open Market Resident Permits will also allow for lodgers to reside with the lawful Open Market householder for up to 5 years.

Continued

Making an employment permit application

It is anticipated that from 3rd April 2017 Employment Permit Applications can be made online via the Housing Department's new easy to use employer portal.

Applications can be made by either the employer or a nominated other e.g. a lawyer. Applications must be made on or before the 3rd day of employment. After the Permit has been agreed, the employee will be provided with an electronic link to the Permit to register their personal details.

The Department has also published a 'list' of the roles for which Permits (and the duration of those Permits) will be granted. If a role is not on the list it does not mean that a Permit will not be granted but the application would likely need additional consideration.



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