



Quick Guide to the Population Management Law

Guernsey's Population Management Law came into force on 3 April 2017. This Quick Guide explains why the new Law was put in place, and gives a summary of how it works.

The information below is provided for guidance only. Please read the important information at the end of this Quick Guide, which also provides a link to the Population Management (Guernsey) Law, 2016 which contains the definitive information this Quick Guide is based on.

There are other Quick Guides and a Quick Glossary on the [Population Management pages of the States of Guernsey website](#). The Quick Glossary explains some of the key terms and phrases associated with the Population Management Law. Terms **shown in bold** in this document are explained in the Quick Glossary.

Why does Guernsey need to manage its population?

Like many other jurisdictions, the profile of Guernsey's population is changing. People are living longer, and people tend to have fewer children than in previous generations. This means that Guernsey faces a future where fewer people of working age are available to contribute, for example via taxes and social security contributions, to fund the public services needed to meet the needs of those above or below normal working age.

Although a changing population profile is not unique to Guernsey, because of its small size and remote location, the demands placed on Guernsey's public services because of these changes are felt more acutely than in larger communities.

Guernsey's Government ("The States of Deliberation" – or just "The States"), have taken a proactive approach to this issue. They recognise the importance of making sure that Guernsey has the right number of people in the Island to help smooth the effects of its changing population profile. But more than that, they also recognise the need to ensure that the population is made up of the right people to help the States meet their economic, social and environmental objectives.

Guernsey is a special Island, with a rich heritage and unique identity, and the States are also keen to ensure that changes in the make-up of the Island's population do not detract from all that helps to make Guernsey a very special place to live and work.

How does the Population Management Law work?

In general terms, the Law works by requiring everybody who lives and/or works in the Island (and who is aged 16 or over) to hold either a **Certificate** or **Permit** to show that they are allowed to live and/or work here. Certificates and Permits are issued for a number of reasons, including because of a person's strong connections to a person who is living in Guernsey, or because a person has been invited to work in Guernsey because of their essential skills, or because Guernsey doesn't have enough people to undertake all the jobs that need filling (sometimes referred to as a manpower shortage).

By managing who can come to live and work in Guernsey, for what reasons, and for how long, the States can influence the size and make-up of the population, to meet the Island's long-term needs. The Law is supported by a range of policies setting out the types of people, often by looking at their employment skills and experience, who will be able to come to live and work in Guernsey. The policies are regularly reviewed and can be adjusted to match the States' strategic aims as they change over time.

Who sets the policies?

The Population Objective – the high level policy position of the States with regard to the size and make-up of the Island's population - is set by the States following political debate.

More detailed policies relating to the management of the Island's population are set by the **Committee for Home Affairs**. These include policies about what types of employment attract what length of Employment Permit; and what happens to people who move to the Island if their circumstances, including the reason they moved to Guernsey, change during their period of residence.

What is the Population Employment Advisory Panel (PEAP)

To ensure they have up to date information about the Island's dynamic employment market, and the current and future needs of the Island's employers, the **Committee for Home Affairs** receives advice from a **Population Employment Advisory Panel (PEAP)**.

There are six PEAP members, and an independent Chairperson. Between them, the six members represent the interests of all sectors of employment in Guernsey. The PEAP is a channel for information to flow to and from the Committee for Home Affairs to the Island's business sectors, about the different levels of skills and manpower shortages in Guernsey and Employment Permit policies.

The PEAP also provides periodic reports to the Committee for Home Affairs about the effectiveness of current Employment Permit policies.

Who administers the Population Management Law?

The **Administrator of Population Management** is appointed by the Committee *for* Home Affairs and has responsibility for the day-to-day administration of the Law, and for making sure people who are resident in the Island comply with it.

The Administrator of Population Management is supported by the Population Management team, who can help with routine applications and enquires.

What's the difference between Local Market & Open Market housing?

Guernsey has a two-tier housing system and all accommodation in Guernsey is classified as **Local Market** or **Open Market**. The majority of Guernsey's housing (about 27,000 properties) is classified as Local Market. Local Market accommodation is primarily reserved for people with an automatic right to live in Guernsey. This right is gained through a long period of lawful residence in Local Market accommodation or, for some, it is gained at birth because of their strong ancestral connections with the Island.

People who come to live and work in Guernsey because of their essential skills or to fill manpower shortages will normally be permitted to live in Local Market accommodation. Depending on the type of employment and the skills the person brings, some people moving to Guernsey are given a Permit that invites them and their **immediate family** to stay in Guernsey long enough to become **Permanent Residents**.

Open Market accommodation falls into four main categories (known as **Parts A, B, C & D**) with the majority being private family homes (**Part A**). There is no restriction on the length of time a family group can live in Open Market Part A accommodation. Under the Population Management Law, both **immediate family members** and **extended family members** can live together in an Open Market Part A Private family home.

There are also a number of Open Market properties that house adults who want to come to work in Guernsey but don't hold an **Employment Permit**. These properties are known as **Part D** Houses of Multiple Occupation (HMOs) and adults moving to Guernsey can live in this accommodation for a maximum of 5 years.

In general terms, adults who live in Open Market housing are not building up any right to live in Local Market housing.

I want to move to Guernsey but don't intend to work

Then the Open Market is for you! There are about 1,600 private family homes that make up Part A of the Open Market, and they offer a wide range of accommodation, from 'lock up and leave' apartments through to large farmhouses, period properties and ultra-modern homes,

many of which have stunning views of Guernsey's coastline. The [Locate Guernsey](#) team can help you with all aspects of your move to Guernsey, including business relocation.

I want to set up a business in Guernsey

We can help with that! Depending on the type of business, and the skills you need, it is likely that if you can't find the right personnel here in Guernsey straightaway, you will be able to benefit from Employment Permits to help set-up the business. Normally, we would expect the number of Employment Permits you need to reduce over time as you train and develop people already resident in Guernsey, but we recognise that businesses sometimes need strategic employees to move to Guernsey for a long period of time to ensure the business is a success.

The [Locate Guernsey](#) team have the right expertise and contacts to help you manage your business relocation or to point you in the right direction if you are considering a business start-up in Guernsey.

Can anyone come to live and work in Guernsey?

No. Generally you need to have a **Permit** or **Certificate** in place before you come to Guernsey to live and/or work. Applications for Employment Permits can be made on or before the 7th day of employment (see www.gov.gg/epappsafteremp). In some circumstances, Permits can be refused if you have previously lived in Guernsey, especially if you have not had a **Recognised Break in Residence**. Permits and Certificates can also be refused if you have a serious criminal record.

What's the difference between a Certificate and Permit?

A **Certificate** is issued to a person who is entitled to live in Guernsey, and who is able to undertake any employment in the Island. But please note that some Certificates will restrict the holder to living in only Open Market accommodation.

A **Permit** is issued to a person whose ability to live and/or work in Guernsey, is conditional. The Permit will explain what the conditions of residence are, but these can include things like working in a specific job, or living with a specific person. If the conditions of a Permit are broken, it becomes invalid.

Other than a **Permanent Resident** Certificate, all Certificates and Permits become invalid if the holder leaves Guernsey.

Resident Certificates

Resident Certificates are issued to people who are entitled to be **householders**. Some Certificates limit the holder to living in Open Market housing, while others give access to both Local Market and Open Market housing.

Holders of Resident Certificates will know that they have a right to stay in Guernsey indefinitely, but only those holding a Permanent Resident Certificate have a life-long right to live in Local Market housing even if they spend time living away from Guernsey.

Resident Permits

Resident Permits are usually issued to people who are living in Guernsey because of their close family connection to, and will live with, a person who is a lawful **householder**.

For, example the spouse/partner of a **Medium Term Employment Permit** holder will be issued with a Resident Permit (referred to as a Family Member Resident Permit). It will have the same duration as the Employment Permit, and will become invalid if the couple stop living together.

Employment Permits

Employment Permits fall into two main categories: those issued to people living and working in **Open Market** accommodation; and those issued to people who are permitted to live in **Local Market** housing.

Open Market Employment Permits

Part A (private family homes)

If you own a private Open Market Part A family home you might have household employees. If you are accommodating you own full-time household employees on a 'live-in' basis, then they will be able to work for you indefinitely. It is important for **Part A** employees to understand that they are not building up any rights to live in Local Market accommodation.

Parts B & C (hotels & nursing/residential homes)

People who come to Guernsey to live and work in Open Market hotels (**Part B**) or nursing/residential homes (**Part C**) can stay indefinitely.

Local Market Employment Permits

Short Term Employment Permits

These Permits are issued to people who are invited to work in Guernsey because of a local manpower shortage. If you hold a Short-Term Employment Permit you will be able to live in shared **Local Market** accommodation. Because you will live in shared accommodation, you can't house any family members.

Short Term Employment Permits are valid for up to 1 year.

At the end of your 1-year Permit, if your employer can show that there is no person already in Guernsey who can do the job you have been doing, your Permit might be extended for another year.

Once you have spent an aggregate of 5 years living in Guernsey you can't be given another Short-Term Employment Permit, and will be expected to leave the Island.

If you leave before you have reached 5 years residence, you will be able come back to Guernsey under another Short-Term Employment Permit if an employer can show that the job you are going to do can't be filled without a Permit. But unless you have had a **Recognised Break in Residence**, the time spent away from Guernsey will count towards your 5 years aggregate residence.

Medium Term Employment Permits

These Permits are issued to people who are invited to work in Guernsey because they have skills or qualifications that either can't be found locally, or because the demand for those skills is greater than the local supply. If you hold a Medium Term Employment Permit you will be able to live in Guernsey in **Local Market** accommodation of your choice. You will be able to bring your **immediate family members** to Guernsey with you as long as they live with you, and they will be able to work in Guernsey if they want to. You and your immediate family will not be eligible to stay in Local Market accommodation once the Permit expires.

Medium Term Employment Permits are valid for up to 5 years.

Employers are expected to use this 5-year period to train and develop people already in Guernsey. If this can't be done, employers will be expected to replace the Permit holder with another Medium Term Employment Permit holder at the end of the 5-year period.

If you leave before you have reached 5 years residence, you will be able come back to Guernsey under another Medium Term Employment Permit if an employer can show that the job you are going to do can't be filled without a Permit. But unless you have taken a **Recognised Break in Residence**, the time spent away from Guernsey will still count towards your 5 years residence.

Long Term Employment Permits

These Permits are issued to people who are invited to work in Guernsey because they have skills or qualifications that can't be found locally and are in short supply elsewhere. If you hold a Long

Term Employment Permit you will be able to live in Guernsey in **Local Market** accommodation of your choice. You will be able to bring your **immediate family members** to Guernsey with you as long as they live with you, and they will be able to work in Guernsey if they want to.

Long Term Employment Permits are valid for up to 8 years.

Once you have lived lawfully in Local Market accommodation for 8 consecutive years you will become an **Established Resident**, which means you can remain in Local Market accommodation indefinitely, and can be employed in any job.

As an Established Resident, once you have lived lawfully in Local Market accommodation for a further 6 years (so 14 years consecutive lawful Local Market residence in total), you will become a **Permanent Resident**. As a Permanent Resident you will have an automatic right to live in Local Market accommodation, and the right to return to Local Market accommodation no matter how much time you spend away from Guernsey.

Who makes the Employment Permit application?

Employment Permit applications have to be made by an employer (unless you intend to be self-employed). After the Permit has been agreed, your employer will give you an electronic link to the agreed Permit, and you will be able to use this link to register your personal details. An Employment Permit application needs to be made on or before the 7th day of employment (see www.gov.gg/epappsafteremp).

Where can I find out more?

If you want to learn more about the processes that led to the introduction of the Population Management Law you can find useful information on the [Population Management pages of the States of Guernsey website](#).

These pages are reviewed and updated frequently as policies supporting the Population Management Law are developed and updated.

If you have questions that the Quick Guides don't answer, you can email us at Population@gov.gg or call us on 01481 715790.

Important Note

This Quick Guide has been prepared to assist the public, particularly employers, by summarising certain aspects of the Population Management (Guernsey) Law, 2016 ("the Law"). While believed to be accurate the Quick Guide is not authoritative, it has no legal effect, and it does not constitute legal or any other advice. No warranty is given that it is free of errors and omissions, and no

liability is accepted for any loss arising from its use. It is not to be taken as setting out the position of any Committee or other body of the States in relation to any particular issue.

The Law is came into force on 3 April, 2017and can be viewed and/or downloaded from the Guernsey Legal Resources website [here](#).