

**IN THE STATES OF THE ISLAND OF GUERNSEY  
ON THE 2<sup>nd</sup> DAY OF DECEMBER, 2016**

**(adjourned from the 1<sup>st</sup> December, 2016)**

**The States resolved as follows concerning Billet d'État No XXIX,  
Dated the 8<sup>th</sup> November, 2016**

**COMMITTEE *for* EDUCATION, SPORT & CULTURE**

THE FUTURE STRUCTURE OF SECONDARY EDUCATION IN THE BAILIWICK  
P. 2016/49

VII:- To NEGATIVE the Proposition to rescind Resolution 1 on Billet d'État VII of 2016; to agree that all-ability States' secondary schools shall not be introduced and that instead selection by ability at 11 years shall continue to determine the admission of students to States' secondary schools; and to direct that by no later than June 2017 the Committee *for* Education, Sport & Culture shall submit a policy letter or policy letters containing proposals for the future use of the education estate, including consideration of the La Mare de Carteret Schools' site and the College of Further Education, and any other proposals or proposals for variations to previous States' Resolutions which the Committee considers necessary for the delivery of selective admission to secondary schools.

**COMMITTEE *for* HOME AFFAIRS**

THE POPULATION MANAGEMENT (GUERNSEY) LAW, 2016 – PROPOSALS TO REGULATE  
THE RESIDENTIAL STATUS OF INDIVIDUALS IN SPECIFIC CIRCUMSTANCES  
P. 2016/56

IX:- After consideration of 'The Population Management (Guernsey) Law, 2016 Proposals to Regulate the Residential Status of Individuals in Specific Circumstances' dated 17 October 2016:-

1. To agree to treat any period during which a minor is accommodated under a fostering arrangement in Guernsey in accordance with the provisions of the Children (Guernsey and Alderney) Law, 2008, as ordinary residence in Guernsey;
2. To agree to treat any period of residence during which a minor is accommodated under a pre-adoptive arrangement in Guernsey in accordance with the provisions of the Children (Guernsey and Alderney) Law, 2008, as ordinary residence in Guernsey;
3. To agree to treat a minor being accommodated in a fostering or pre-adoptive arrangement in Guernsey in accordance with the provisions of the Children (Guernsey and Alderney) Law, 2008, as being lawfully accommodated by the householder

without the need to hold a Discretionary Resident Permit for the duration of that arrangement;

4. To agree to treat any period of time spent by a minor in a fostering or pre-adoptive arrangement outside Guernsey in accordance with the provisions of the Children (Guernsey and Alderney) Law, 2008, as ordinary residence in Guernsey;
5. To agree that students from the other islands of the Bailiwick being accommodated in accordance with the term-time host scheme coordinated by the Committee *for* Health and Social Care's Children & Family Community Services, remain ordinarily resident elsewhere than in Guernsey during the period over which they are being educated in Guernsey;
6. To agree that students from the other islands of the Bailiwick being accommodated in accordance with the term-time host scheme operated by the Committee *for* Health and Social Care's Children & Family Community Services are lawfully accommodated by the householder without the need to hold a Discretionary Resident Permit for the duration of that arrangement;
7. To agree to treat a period of time spent receiving treatment/care elsewhere than in Guernsey as ordinary residence in Guernsey so long as the person concerned:
  - i. was ordinarily resident in Guernsey immediately prior to the commencement of that treatment/care; and
  - ii. can demonstrate that, were it not for their need for treatment/care, they could reasonably expect to be ordinarily resident in Guernsey;
8. To agree that (subject to Recommendation 9) time spent in prison in Guernsey (or elsewhere at the behest of a court in Guernsey), either on remand or as the result of a custodial sentence, should be:
  - i. treated as lawful residence in Guernsey without the person concerned being required to hold a Certificate or Permit;
  - ii. removed from a person's overall qualification period (so that the impact of the period of remand or imprisonment insofar as a person's ability to gain residential qualifications is concerned, is entirely neutral), and
9. To agree that, where a person is detained on remand in circumstances that do not lead to a conviction, the Administrator should be required to ask him to elect on his release whether the time during which he was detained on remand should be treated as ordinary residence, or deemed to be time away from Guernsey; and if no such election is made, the Administrator should treat the person's period on remand, for

the purposes of the Law, in such a way as appears to the Administrator to be most advantageous to that person; and

10. To direct the preparation of one or more Ordinances in accordance with the provisions of sections 78(9) and (10) of the Population Management (Guernsey) Law, 2016, to give effect to Recommendations 1 – 9 above, including any necessary consequential and incidental provision.

### **COMMITTEE *for* HOME AFFAIRS**

#### THE POPULATION MANAGEMENT (GUERNSEY) LAW, 2016 AMENDMENTS TO TRANSITIONAL PROVISIONS P. 2016/57

VIII:- After consideration of 'The Population Management (Guernsey) Law, 2016 – Amendments to Transitional Provisions' dated 17 October 2016:-

1. To agree to persons first resident in Guernsey as minors who are resident in Guernsey on the coming into force of the Population Management (Guernsey) Law, 2016 ("the Law") having the right to benefit from the shorter residential qualification periods introduced by the Law;
2. To agree to the amendment of section 57 of the Law, so as to provide that a person to whom it applies may only benefit from its provisions for so long as the person's circumstances do not change in any material way;
3. To NEGATIVE the Proposition to amend of section 25 of the Law, so as to provide that, with the exception of a holder of a short term housing licence applying for a Short Term Employment Permit, the restrictions within section 25(1) and (3), and their disapplication in the circumstances set out at section 25(2)(b), apply also to a holder of an old regime document (as defined in the Law) who applies for a Permit;
4. To agree to the amendment of section 83 of the Law, so as to provide that, subject to them meeting certain criteria, the spouse/partner of a Guernsey resident currently serving in HM Forces is able to have their residence during that period of service treated as residence in Guernsey; and
5. To agree to the preparation of one or more Ordinances under section 75(1)(d) of the Law to give effect to the above Recommendations, and any necessary incidental or consequential provision.

**POLICY & RESOURCES COMMITTEE**

**SCHEDULE FOR FUTURE STATES' BUSINESS**

**P. 2016/60**

XI: - After consideration of the Schedule for future States' business, which sets out items for consideration at the Meeting of the 14<sup>th</sup> December 2016 and subsequent States' Meetings, to approve the Schedule.

**A. J. NICOLLE**

**HER MAJESTY'S DEPUTY GREFFIER**