



## Transitional Rules and Policies - For people living in States of Guernsey housing on 3 April 2017

### Introduction

The Population Management Law introduces new rules for people living in States of Guernsey housing in Guernsey. These rules won't be applied to some people who were living in Guernsey when the Population Management Law came into force on 3 April 2017. For these people, sometimes called 'transitional people', different rules and policies apply.

Rules are set out in the Population Management Law and are sometimes called 'grandfather rights'. Policies are not set out in the Population Management Law.

The Administrator of Population Management has policies about transitional people. A person can usually expect that policy will be applied to them if their situation exactly fits the description in the policy – but the Administrator can always choose not to apply a policy. It is best for a person to make an application for a Permit under these policies and not to rely on the fact that their situation seems to fit a policy.

The rules and policies set out here apply specifically to transitional people. If a person came to Guernsey on or after 3 April 2017 these rules and policies won't apply to them. If a person was living in Guernsey before 3 April 2017, they can contact us to find out if they are being treated as a 'transitional person' if they are unsure about their status.

### General rules for those living in any States of Guernsey housing

If, on 2 April 2017, a person was already living in housing rented to or owned by the States of Guernsey, they will get grandfather rights and be able to live in that specific property.

A person will keep these grandfather rights unless there is a material change in their circumstances.

- If a person lives in States of Guernsey housing because they are **working for the States of Guernsey**, leaving their employment is a material change in their circumstances.
- If a person **lives in States Social Housing** because they are in a relationship with someone who lives there, that relationship ending is a material change in their circumstances.

- If a person lives in States of Guernsey housing but **has permission to live in private Local Market housing**, any change that would end their permission to live in private Local Market housing is a material change in their circumstances.
- If a person **moves from one property to another**, this is a material change in their circumstances, even if the States of Guernsey owns or rents both properties.

Other changes might be classed as a material change in a person's circumstances. If a person is not sure about a change, they can contact us for advice.

(Reference GF62)

If a person has grandfather rights and is living in **States of Guernsey Local Market housing**, they can generally expect the time they spend in that housing from 3 April 2017 onwards to count towards them gaining residential qualifications. The expectation is that they will become a Permanent Resident if they live in States of Guernsey Local Market housing for 14 consecutive years starting on 3 April 2017. Once a person is a Permanent Resident they can live in any Local Market housing in Guernsey.

(Reference TP9)

If a person is living in **States of Guernsey Open Market housing**, they can generally expect that the time they spend in that housing from 3 April 2017 onwards will not count towards them gaining residential qualifications unless they hold a Permit allowing them to live in Local Market housing.

(Reference TP10)

Time living in the Open Market does not usually count towards a person becoming an Established Resident or a Permanent Resident. If a person lives in Open Market housing because of policies TP1; TP2; TP3; TP4; TP5; TP6; TP7; TP10; TP14 and/or grandfather rights GF60; GF61; GF61a; GF65; they should not expect to be allowed to move into Local Market housing at any time in the future.

(Reference TP15)

## **Policy Review**

This policy will be reviewed on 2 April 2019. The policy should not be relied upon as an indication of the likely outcome of Permit applications made after the review date. If the policy changes as a result of the review, the change will not be retrospective. The Administrator reserves the right to review this policy before the published review date if there is good reason to do so.