



Discretionary Resident Permit Policies - For Employment Permit holders

Introduction

The Population Management Law enables people to live in Guernsey under a Permit linked to the job they do. If they stop doing the job named on their Employment Permit, their permission to live in Guernsey comes to an end.

The Administrator of Population Management has policies about whether or not a person can generally expect to be granted a Permit to Policies are not set out in the Population Management Law. 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.

Long Term Employment Permit holders

If a person holding a Long Term Employment Permit **becomes seriously ill or disabled** and is no longer able to do the job named on their Permit, they can generally expect that a Permit will be granted to enable them to continue to be a Local Market householder until they have lived in Guernsey for 8 consecutive years and become an Established Resident. This will mean that any immediate family members living with this person will be able to continue to live with them too.

(Reference DR14a)

If a person's Permit is conditional on them living with a **Long Term Employment Permit holder who has died**, one of the immediate family members who was living with the person who has died (usually their spouse/partner) can generally expect to be granted a Permit and to become a Local Market householder.

The Permit will usually allow the person to become a Local Market householder until they have lived in Guernsey for 8 consecutive years and become an Established Resident. This will mean that any immediate family members that were living with Long Term Employment Permit holder who has died will usually be able to continue to live here too.

(Reference DR10b)

If a person holding a Long Term Employment Permit is **made redundant, resigns or is dismissed**, their Permit will become invalid because they are no longer doing the job named on it. They can generally expect to be granted a temporary 3-month Permit to adjust to this change in their circumstances.

By the end of the temporary 3-month Permit the person must have:

- made arrangements to leave Guernsey; or
- moved into Open Market housing so they can live in Guernsey lawfully; or
- made an application for a Permit based on their new circumstances

(Reference DR1b)

If a person holding a Long Term Employment Permit **retires**, their Permit will become invalid because they are no longer doing the job named on it. They should not expect to be granted a Permit to enable them to live in Local Market housing.

(Reference DR15a)

If a person holding a Long Term Employment Permit **resigns or is dismissed because of their own misconduct**, their Permit will become invalid because they are no longer doing the job named on it. They should not expect to be granted a Permit to enable them to live in Local Market housing after the temporary 3-month Permit granted to help them to adjust to this change in their circumstances runs out.

(Reference DR16a)

Medium Term Employment Permit holders

If a person holding a Medium Term Employment Permit **becomes seriously ill or disabled** and is no longer able to do the job named on their Permit, they can generally expect that a Permit will be granted to enable them to continue to be a Local Market householder until their Medium Term Employment Permit would have expired. This will mean that any immediate family members living with this person will be able to continue to live with them during this time too.

(Reference DR14b)

If a person's Permit is conditional on them living with a **Medium Term Employment Permit holder who has died**, one of the immediate family members who was living with the person who has died (usually their spouse/partner) can generally expect to be granted a Permit and to become a Local Market householder.

The Permit will not usually allow the person to live in Guernsey beyond the expiry date of the Medium Term Employment Permit.

This will mean that any immediate family members that were living with Medium Term Employment Permit holder who has died will usually be able to continue to live with the new householder during this time too.

(Reference DR10c)

If a person holding a Medium Term Employment Permit is **made redundant, resigns or is dismissed**, their Permit will become invalid because they are no longer doing the job named on it. They can generally expect to be granted a temporary 3-month Permit to adjust to this change in their circumstances.

By the end of the temporary 3-month Permit the person must have:

- made arrangements to leave Guernsey; or
- moved into Open Market housing so they can live in Guernsey lawfully; or
- made an application for a Permit based on their new circumstances

(Reference DR1c)

If a person holding a Medium Term Employment Permit **retires**, their Permit will become invalid because they are no longer doing the job named on it. They should not expect to be granted a Permit to enable them to live in Local Market housing.

(Reference DR15b)

If a person holding a Medium Term Employment Permit **resigns, or is dismissed because of their own misconduct**, their Permit will become invalid because they are no longer doing the job named on it. They should not expect to be granted a Permit to enable them to live in Local Market housing after the temporary 3-month Permit granted to help them to adjust to this change in their circumstances runs out.

(Reference DR16b)

Short Term Employment Permit holders

If a person holding a Short Term Employment Permit **becomes seriously ill or disabled** and is no longer able to do the job named on their Permit, they can generally expect that a Permit will be granted to enable them to continue to live in Local Market housing until their Short Term Employment Permit would have expired.

(Reference DR14c)

If a person holding a Short Term Employment Permit is **made redundant, or resigns/retires, or is dismissed**, their Permit will become invalid because they are no longer doing the job named on it. They can generally expect to be granted a temporary Permit for up to 1 month to adjust to this change in their circumstances.

By the end of the temporary Permit the person must have:

- made arrangements to leave Guernsey; or
- moved into Open Market housing so they can live in Guernsey lawfully; or
- made an application for a Permit based on their new circumstances

(Reference DR1d)

If a person holding a Short Term Employment Permit **retires**, their Permit will become invalid because they are no longer doing the job named on it. They should not expect to be granted a Permit to enable them to live in Local Market housing.

(Reference DR15c)

If a person holding a Short Term Employment Permit **resigns, or is dismissed because of their own misconduct**, their Permit will become invalid because they are no longer doing the job named on it. They should not expect to be granted a Permit to enable them to live in Local Market housing after the temporary Permit granted to help them to adjust to this change in their circumstances runs out.

(Reference DR16c)

A person holding a Short Term Employment Permit **should not expect** to be granted a Permit to enable them **to house any family member**, including children.

(Reference DR17)

Living and Working in an Open Market (Part B) Hotel

If a person living and working in an Open Market (Part B) hotel is made **redundant, resigns, retires or is dismissed because of their own misconduct**, their Permit will become invalid because they are no longer doing the job named on it. They should not expect to be granted a Permit to enable them to live in Local Market housing.

(Reference DR18a)

If a person is living in staff housing at one Open Market (Part B) hotel and **working at another hotel in the same hotel group**, they can generally expect to be granted with a Permit to allow this to happen. The Permit will be conditional on their full-time employment, with the ability to have it renewed.

(Reference DR19a)

Living and Working in an Open Market (Part C) Nursing or Residential Home

If a person living and working in an Open Market (Part C) nursing or residential home is made **redundant, resigns, retires or is dismissed because of their own misconduct**, their Permit will become invalid because they are no longer doing the job named on it. They should not expect to be granted a Permit to enable them to live in Local Market housing.

(Reference DR18b)

If a person is living in staff housing at one Open Market (Part C) nursing or residential home and **working at another nursing or residential home in the same group**, they can generally expect to be granted with a Permit to allow this to happen. The Permit will be conditional on their full-time employment, with the ability to have it renewed.

(Reference DR19b)

Policy Review

This policy will be reviewed on 2 April 2018. 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.