



## Discretionary Resident Permit Policies - For Open Market Residents

### Introduction

Generally, people who move to Guernsey as adults to live in Open Market housing don't gain the right to live in Local Market housing.

The Administrator of Population Management has policies about whether or not a person can generally expect to be granted a Permit to:

- live in Open Market accommodation when their situation falls outside the rules set out in the Population Management Law; or
- to move in Local Market housing.

Policies are not set out in the Population Management Law. A person can usually expect that a 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. If this happens, the Administrator will explain why the policy hasn't been applied. 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.

### Open Market Residents who can live in Local Market housing

If a person chooses to live in Open Market housing but, because of their circumstances, they can live lawfully in Local Market housing, they can generally expect to be granted the type of Permit they would be granted if they were living in Local Market housing.

Time a person spends living in Open Market housing when they could lawfully live in Local Market housing is treated as Local Market residence.

(Reference DR21)

If a person is ordinarily resident in Open Market housing in Guernsey and **becomes the spouse/partner of a person who can be a Local Market householder**, they can generally expect to be granted a Permit so that they can live in Local Market housing with their spouse/partner. The couple might be asked to provide information to demonstrate that their relationship as a couple is genuine and on-going.

The duration of their Permit will depend on the length of time the Local Market householder is able to live in Local Market housing.

Time a person spends living in Open Market housing when they could lawfully live in Local Market housing is treated as Local Market residence.

(Reference DR22)

If a person who:

- first lived in Guernsey before their 18th birthday, in the in the household of their parent(s); and
- has been ordinarily resident for the proceeding 8 consecutive years in Guernsey (of which is not all Local Market residence); and
- it becomes impossible to continue to live with the householder listed on their current Permit,

they can generally expect to be granted a Permit to live in Local Market housing as a householder until they become a Permanent Resident.

(Reference DR41)

### **Open Market Residents with additional health needs**

If a person has been resident in Guernsey for at least the whole of the proceeding 10 years and who, in the opinion of the Needs Assessment Panel, should be accommodated in a residential or nursing home, they **can generally expect to be granted a Permit so that they can live in a registered residential or nursing home.**

The person might be asked to provide information to demonstrate that they need ongoing additional support.

(Reference DR34)

If a person's only near relative is a long-term lawful resident of Guernsey, provided that the person is aged over 75; is in need of residential care (confirmation from a medical professional required); and will fund his/her own care, they **can generally expect to be granted a Permit so that they can live in a registered residential or nursing home.**

The person might be asked to provide information to demonstrate that they need ongoing additional support.

(Reference DR35)

## Open Market Residents renovating their house

If a person is ordinarily resident and:

- is the owner and householder of an Open Market (Part A) private family home; and
- that **home is undergoing repairs or renovations (including re-build)**; and
- it is not practical for them to live in the house during the building works; and
- they can demonstrate that they can't live in alternative Open Market housing during the building works;

they can generally expect to be granted a temporary Permit so that they can live in Local Market housing as a householder for a period of up to 2 years.

A Permit issued under this policy will allow the person to temporarily house their immediate and extended family members with them in one Local Market house, and these family members will be issued with temporary Permits too.

(Reference DR25)

## Other Open Market Residents

If a person lives in Open Market accommodation, and **moved to Guernsey**:

- with their parent(s); and
- before they reached the age of 25; and
- at a **time when they were still dependant on their parents** (for example because they were still in full-time education);

they can generally expect to be granted a Permit to live in Local Market housing after they have lived in Open Market housing for 14 consecutive years.

(Reference DR26)

If a person lives in Open Market housing and is not:

- a person covered by policy DR21
- a person covered by policy DR22
- a person covered by policy DR23
- a person covered by policy DR24
- a person covered by policy DR25
- a person covered by policy DR26
- a person covered by policy DR41

they should not expect to be granted a Permit to enable them to live in Local Market housing.

(Reference DR27)

## Policy Review

This policy will be reviewed before the end of 2022. 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.