



Enhancements to Employment Permits

Introduction

In November 2017, the States approved changes to the Population Management (Guernsey) Law, 2016 (the Law) in relation to Short Term Employment Permits and Parts B and C of the Open Market. Work has started to make these changes to the Law. In the meantime, the policies set out below will enable employers to benefit from the changes agreed by the States before the Law can be updated.

A person can usually expect that these policies will be applied to them if their situation exactly fits the descriptions set out below – but the Administrator will consider each case on its facts and can always choose not to apply a policy.

Discretionary Resident Permit - Open Market Employment Permit (Part B) (DRP - OMEP B)

New and existing residents can generally expect that a Permit will be granted to enable them to live and work full-time in any property inscribed in Part B of the Open Market Housing Register – i.e. hotels. The holder does not need to live and work in the same property. A recognised break in residence is not required directly prior to holding a DRP OMEP B.

There is no limit on the length of time a person can live and work in Part B of the Open Market.

(Reference DR36)

It should be noted that time spent living in Part B of the Open Market does not count as qualifying time for the purpose of gaining permanent residence in Guernsey or accessing the local market.

Discretionary Resident Permit - Open Market Employment Permit (Part C) (DRP - OMEP C)

New and existing residents can generally expect that a DRP – OMEP C will be granted to enable them to live and work full-time in any property inscribed in Part C of the Open Market Housing Register – i.e. care homes. The holder does not need to live and work in the same property. A recognised break in residence is not required directly prior to holding a DRP OMEP C.

There is no limit on the length of time a person can live and work in Part C of the Open Market.

(Reference DR37)

It should be noted that time spent living in Part C of the Open Market does not count as qualifying time for the purpose of gaining permanent residence in Guernsey or accessing the local market.

Discretionary Resident Permit - Short Term Employment Permit 9/3 (DRP - STEP 9/3)

A DRP - STEP 9/3 will enable the holder to work in Guernsey for a maximum of 9 continuous months before having to leave Guernsey for at least 3 months. After that person has taken a minimum break of 3 months away from Guernsey, an employer can then apply for another DRP - STEP 9/3 for that person.

There is no time limit on a person working in Guernsey based on a continued pattern of 9 months on-island, 3 months off-island.

(Reference DR38)

A person who holds or last held another type of Permit or document in Guernsey, can generally expect that a DRP - STEP 9/3 will be granted to enable them to live and work full-time in Guernsey, as long as they have completed a recognised break in residence. A recognised break in residence means a period of time spent off Guernsey that is equal to, or longer than, a person's last period of residence.

(Reference DR39)

A person who currently holds a Short Term Employment Permit and who was resident under a 9 month Short Term Housing Licence at any time in the period of 6 months before and including 3rd April 2017 may next, upon successful application by their employer, hold a DRP - STEP 9/3 without the need to take a recognised break in residence.

(Reference DR40)

Policy Review

This policy will be in place until the Law is amended to include the provisions outlined above.