



2019/12

Date of Vote: 28^h March, 2019

Billet d'État:	V
Article:	5
Proposition No.:	P.2019/117
Committee:	Committee for Home Affairs
Subject:	<u>Treatment of Persons Born or First Resident as Minors in Alderney or Sark under the Population Management (Guernsey) Law, 2016</u>
Propositions:	1(d) as amended

LOST: **Pour: 16** **Contre: 22** **Ne vote pas: 0** **Absent: 2**

St. Peter Port South

Deputy Peter T. R. Ferbrache **C**
 Deputy Jan Kuttelwascher **C**
 Deputy Dawn A. Tindall **C**
 Deputy Barry L. Brehaut **C**
 Deputy Rhian H. Tooley **C**

St. Peter Port North

Deputy John A. B. Gollop **C**
 Deputy Charles N. K. Parkinson **C**
 Deputy Lester C. Queripel **P**
 Deputy Michelle K. Le Clerc **P**
 Deputy Marc P. Leadbeater **P**
 Deputy Joseph I. Mooney **C**

St. Sampson

Deputy Lyndon S. Trott **P**
 Deputy Paul R. Le Pelley **A**
 Deputy Jennifer S. Merrett **C**
 Deputy Gavin A. St Pier **C**
 Deputy T. Jane Stephens **C**
 Deputy Carl P. Meerveld **C**

Vale

Deputy Matthew J. Fallaize **P**
 Deputy Neil R Inder **A**
 Deputy Mary M. Lowe **P**
 Deputy Laurie B. Queripel **P**
 Deputy Jeremy C. S. F. Smithies **C**
 Deputy Sarah T. Hansmann Rouxel **C**

Castel

Deputy Richard H. Graham **P**
 Deputy Christopher J. Green **P**
 Deputy Barry J. E. Paint **P**
 Deputy Mark H. Dorey **P**
 Deputy Jonathan P. Le Tocq **C**

West

Deputy Alvord H. Brouard **P**
 Deputy Andrea C. Dudley-Owen **P**
 Deputy Emilie A. Yerby **C**
 Deputy David de G. De Lisle **P**
 Deputy Shane L. Langlois **C**

South-East

Deputy Heidi J. R. Soulsby **P**
 Deputy H. Lindsay de Sausmarez **C**
 Deputy Peter J. Roffey **C**
 Deputy Robert G. Prow **P**
 Deputy Victoria S. Oliver **C**

Alderney

Alderney Representative Stephen Roberts **C**
 Alderney Representative Alexander Snowdon **C**

THE STATES OF DELIBERATION

of the

ISLAND OF GUERNSEY

27th March, 2019

Proposition No. P.2019/17

COMMITTEE FOR HOME AFFAIRS

**TREATMENT OF PERSONS BORN OR FIRST RESIDENT AS MINORS IN ALDERNEY OR SARK
UNDER THE POPULATION MANAGEMENT (GUERNSEY) LAW, 2016**

AMENDMENT

Proposed by: Deputy M M Lowe

Seconded by: Deputy R G Prow

To replace the Proposition with the following Proposition:

- "1. To ratify the policies of the Committee *for* Home Affairs in relation to the treatment of those persons born or first resident as minors in Alderney or Sark under the Population Management (Guernsey) Law, 2016 as follows:
- a. That a person wishing to relocate to Guernsey for the purpose of education/training/employment under the policies set out below from Alderney or Sark must:
 - i. have eight consecutive years' ordinary residence in the Bailiwick of Guernsey immediately prior to application; and
 - ii. have been first resident in the Bailiwick of Guernsey as a minor, in the household of their parent(s); and
 - iii. in the case of employment-related policies only, be or have been under 29 years of age when they first relocate(d) to Guernsey.
 - b. That those looking to access education/training in Guernsey must demonstrate that they have secured a place in an educational institution or on a training course prior to a Permit being granted.
 - c. That those who wish to relocate or who have relocated to Guernsey for the purpose of employment can generally expect to be granted a Discretionary Resident Permit subject to the provisions of the Law and at the discretion of the Administrator to enable them to live and work in Guernsey.

- d. That those looking to live in Guernsey for the purpose of education/training must be accommodated by a householder.
- e. That a Permit holder who has relocated to Guernsey for the purpose of education/training must remain in education/training on a full-time basis.
- f. That a person who has relocated to Guernsey under these policies relating to the treatment of young people from Sark and Alderney under the Law, should be able to benefit from an Agreed Absence of up to 12 months to enable them to travel on the condition that they have been continuously resident for 3 or more years directly before the period of absence."

EXPLANATORY NOTE

The Population Management (Guernsey) Law, 2016 recognises the responsibility of the Committee *for* Home Affairs in establishing policies relating to the management of the population. Such policies are developed and implemented without the involvement of the States' Assembly and are subject to regular review. They may be amended or revised in light of practical experience in order to ensure the regime continues to achieve the States' strategic population objectives.

The Committee is required on this occasion, as a result of a successful amendment, to return to the Assembly setting out its intended policy for children born or first resident as minors in Alderney and/or Sark who wish to relocate to Guernsey to for employment, education or training. The Committee acknowledges that following the publication of its Policy Letter, an amendment has been submitted to HM Greffier which:-

- would remove the requirement for those accessing training and education to be under the age of 29;
- proposes a series of alternate options in respect of the possible treatment of those seeking to access employment.

The Committee supports the principle of the amendment but is keen to avoid a precedent whereby the Committee could find itself directed to adopt a particular policy and be constrained in its future evolution. This amendment, in common with the original Policy Letter, seeks the States to ratify, rather than direct, the Committee's policy approach, thereby allowing future flexibility in case needed.

The Proposition is identical to that within the Policy Letter with the exception of:-

- the removal of the requirement for those accessing training and education to be under the age of 29;
- enabling Alderney and Sark young people to be granted a Discretionary Resident Permit in order to allow them to live and work in Guernsey.

This policy sets out the way it is intended to support children and young people from Alderney and Sark. The Committee recognises that over the course of time and in the light of experience

it may be necessary to refine the arrangements and so it will continue to talk to both Islands on the matter.