

Media Release

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Committee *for* Home Affairs extends exemption for 9/3 work permit, meaning staff don't have to leave the island for their three-month 'break'

The Committee *for* Home Affairs is extending an exemption to the Discretionary Resident Permit – also known as the 9/3 work permit - to allow individuals approaching their three-month break to remain in Guernsey without being deemed to have broken their residency pattern.

The exemption will remain in place until at least the end of September 2021.

Ordinarily, an individual on a 9/3 permit would work in the island for nine months before being required to take a three-month break from the island before returning. There is no limit on the number of times an individual can return to the island if they are following this pattern. The exemption, introduced by the Committee in November 2020 to support businesses and staff during the pandemic, means individuals on these permits do not have to take a three-month break.

The decision to extend the exemption supports businesses in their efforts to retain staff who are already in the island. The Committee would encourage any business that wishes to keep a valued member of staff, but has concerns that their permit will soon expire, to contact the Population Management Office which will support by exploring all possible options.

However, the Committee also recognises the challenges employers face in trying to recruit staff into the island and is willing to work with industry and assist where possible.

This is a challenging and complex area, heavily influenced by Brexit-related circumstances outside the island's control, if we wish to retain our membership of the Common Travel Area. From an immigration perspective, while the Committee took the decision before Brexit that the island would not follow the UK's points-based system – and through discussions with the UK it was accepted that the Bailiwick had unique needs based on the make-up our economy - the process and costs involved in securing visas for new entrants into the UK and Crown Dependencies are determined by the UK.

While the Committee took the decision in December to merge the application processes for Population Management and Immigration and waive costs associated with the EU immigration work permit requirement in Guernsey, the cost of the visa is set and retained by the UK and not within the Committee's gift to alter.

Deputy Rob Prow, President of the Committee *for* Home Affairs, said:

'Our Committee has consistently said that we'll do everything we can to support businesses and their staff. We fully recognise the importance of maintaining access to the international workforce, which is precisely why prior to Brexit we engaged with our colleagues throughout the UK and Crown Dependencies to make it clear that our island has different economic needs and that we must retain the ability to accommodate them. We were successful in gaining their agreement to implement our own Work Permit Policy rather than adopting the UK's points-based immigration system post-Brexit. I know some in our community believe the Population Management Law has contributed to challenges recruiting staff externally, but the truth is the fact our immigration Work Permit Policy and the Population Management regime tie-in together is what allowed us to have a bespoke work permit system relevant to us and our economy, of which the shortage of occupation list is key.

'We hope that the further extension of the exemption in place for those staff on a 9/3 permit, meaning they don't have to leave the island for their three-month break, helps those businesses that rely on the seasonal working pattern by eliminating the need for those staff to take a residency break.

'As a Committee we can only control what is within our gift. For EU nationals already in the island, our EU Settled Status scheme allows them to secure existing rights to remain, and so far more than 4,000 people have taken the opportunity to register.

'It was only due to the UK's membership of the EU that the Bailiwick was able to benefit from the free movement of people. For businesses seeking to recruit new staff from the EU, it is a fact that Brexit has resulted in additional process and expense from an immigration perspective. This is a UK system that affects the Crown Dependencies, of which we have very little control, which requires any EU national to secure a visa to enter the UK or Crown Dependencies. Guernsey does not receive any money from this, and we fully acknowledge it is an additional cost to recruitment for some of our key sectors. We have taken decisions wherever possible to make things easier or waive costs and will continue to explore available options to meet our commitment to support the economy.'

Ends

Notes to Media

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