



## **Transitional Rules and Policies - For people living on a boat on 3 April 2017**

### **Introduction**

The Population Management Law introduces new rules for people living on boats in Guernsey's territorial waters – that is, within the 3-mile limit. These rules won't be applied to some people who were living on a boat in Guernsey's territorial waters when the Population Management Law came into force on 3 April 2017. For these people, sometimes called 'transitional people', different rules and policies apply.

Rules are set out in the Population Management Law and are sometimes called 'grandfather rights'. Policies are not set out in the Population Management Law.

The Administrator of Population Management has policies about transitional people. 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. 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.

The rules and policies set out here apply specifically to transitional people. If a person started to live on a boat in Guernsey's territorial waters after 3 October 2016, these rules and policies won't apply to them.

### **Living on a boat in Guernsey's territorial waters**

If, on 3 October 2016 a person was already:

- living on a boat in Guernsey's territorial waters; and
- has been continuously resident on a boat in Guernsey's territorial waters since then;

they will get grandfather rights and will be able to continue to live on a boat in Guernsey's territorial waters for as long as they want to. They will need to hold a Permit at all times.

Their time living on a boat from 3 April 2017 onwards will count towards them gaining residential qualifications. The expectation is that they will become a Permanent Resident if they live on a boat in Guernsey's territorial waters for 14 consecutive years starting on 3 April

2017. Once a person is a Permanent Resident they can live in any Local Market housing in Guernsey.

A person's grandfather rights limit them to living on a boat and do not give them any right to live in any other Local Market accommodation before they become a Permanent Resident.

If a person stops living on a boat in Guernsey's territorial waters they will lose their grandfather rights.

(Reference GF63)

If a person has grandfather rights to live on a boat in Guernsey's territorial waters, any of their immediate family members can live with them for as long as they want to, even if they don't have grandfather rights to live on a boat. Anyone living with on a boat who is working or who is aged 16+ will need to hold a Permit at all times.

(Reference TP8)

## **Policy Review**

This policy will be reviewed on 2 April 2019. 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.