



*Date of Vote: 30<sup>th</sup> March, 2017*

<b>Billet d'État:</b>	<b>VII of 2017</b>
<b>Article:</b>	<b>7</b>
<b>Proposition No.:</b>	<b>P. 2017/18</b>
<b>Committee:</b>	<b>Committee for Home Affairs</b>
<b>Subject:</b>	<b>Population Management (Guernsey) Law, 2016 (Commencement) Ordinance, 2017</b>
<b>Proposition:</b>	<b>All (as amended)</b>

*The States are asked to decide:-*

- Whether they are of the opinion to approve the draft Ordinance entitled "The Population Management (Guernsey) Law, 2016 (Commencement) Ordinance, 2017", and to direct that the same shall have effect as an Ordinance of the States, subject to replacing section 1 with the following section –*

*"1. With the exception of paragraph 3 of Schedule 4, the Population Management (Guernsey) Law, 2016 shall come into force on 3<sup>rd</sup> April, 2017."*

- To direct the Policy & Resources Committee to lead a review of the Population Management (Guernsey) Law, 2016, and its underpinning policies, to include:*
  - The various ways of gaining Permanent Resident status for those born in Guernsey or first resident as minors;*
  - The experience of employers in terms of the operation of those parts of the Law, other associated legislation, and policies relevant to all types of Employment Permits; and*
  - A review of overarching strategic population policy*

*and, together with the Committee for Home Affairs, to report back to the States during the first quarter of 2019 recommending, if necessary, any amendments to the Law and any associated legislation which may be desirable in order better to support the achievement of the States' strategic objectives.*

- To rescind Resolution 4 on Billet d'État IV of 2015.*
- To direct the Committee for Home Affairs to bring a policy letter to the States at the earliest practical opportunity setting out its policy and proposed treatment, under the new population management regime, of children born in Alderney and/or Sark and those taken to those islands as minors and wishing to relocate to Guernsey to live and work or for the purposes of further education or training, together with a Proposition giving members of the States the opportunity through debate to comment on that policy and proposed treatment. Such a report to include a full explanation of the background to, and the considerations taken into account when formulating, the policy and proposed treatment.*
- To direct the Committee for Home Affairs to adopt a policy, as of 3 April, 2017, under which there is a presumption that, upon application for a Short Term Employment Permit in circumstances where the person to whom the application relates –*
  - (a) was resident prior to commencement of the Population Management Law under a short term housing licence issued under the Housing (Control of Occupation) Law (and including for the avoidance of doubt a person who was taking a mandatory 3-month break in residence on commencement), and*
  - (b) has accrued not less than 45 months aggregate residence prior to commencement,*



*a Discretionary Resident Permit shall be granted for a maximum period of 9 months, containing conditions including that the holder shall not be a householder and must undertake full-time employment in the post to which the application relates; and that, following a 3 month break in residence, this process of application and pattern of employment, shall be allowed to continue, unless: (a) the granting of the Permit would not be consistent with the Criminal Convictions & Public Interest Policy, or (b) the person to whom the application relates has not been ordinarily resident for a period of three consecutive years at the time of the application.*

**CARRIED: Pour: 26 Contre: 13 Ne vote pas: 0 Absent: 1**

**St. Peter Port South**

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

**St. Peter Port North**

Deputy John A. B. Gollop **C**  
Deputy Charles N. K. Parkinson **P**  
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 **P**  
Deputy Jennifer S. Merrett **C**  
Deputy Gavin A. St Pier **P**  
Deputy T. Jane Stephens **P**  
Deputy Carl P. Meerveld **P**

**Vale**

Deputy Matthew J. Fallaize **C**  
Deputy Neil R Inder **P**  
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 **P**

**West**

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

**South-East**

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

**Alderney**

Alderney Representative Louis E. Jean **C**  
Alderney Representative S. D. Graham McKinley, OBE **P**