

Glossary

Below are some common terms used in connection with Immigration and Population Management, along with their meanings. You can also access this glossary through our website [here](#).

Work Permit

Any permission to undertake employment under the 'Work Permit Employment' provisions of Part 5 of the Immigration (Bailiwick of Guernsey) Rules, 2008. This permit may be issued to persons that require immigration permission but do not require Population Management permissions i.e., Bailiwick outer islands of Sark or Alderney.

Employment Permit

An Employment Permit is issued under the Population Management (Guernsey) Law, 2016. For anyone employed in the island of Guernsey. This permit may be issued to person requiring Population management permissions but do not require immigration permissions i.e., British/Irish citizens, EU/EEA with settled/pre settled status, or nationals granted indefinite immigration permission within the British Common Travel Area (CTA).

Combined Work/ Employment Permit (Employment Permit, LTEP/STEP)

Combined employment/work permits (referred to as employment permit) will be issued or refused on behalf of the Committee for Home Affairs by officers of the Guernsey Border Agency (Immigration and Nationality) and Population Management acting in accordance with the joint Employment Permit Policy. A joint permit may be issued to all person that are required to comply with both immigration and population management legislation i.e., all foreign nationals looking to reside and work in Guernsey (exception EU/EEA settled/pre-settled status & holders of indefinite immigration permissions granted in the CTA).

General Terms (listed alphabetically)

A

Accommodate: Where the householder of a dwelling allows a person, other than a guest, to occupy that dwelling, but does not include allowing a person to live in a dwelling on a short-term and temporary basis in circumstances where the person being accommodated is otherwise lawfully occupying another dwelling.

Accommodation/dwelling: means any premises, vessel or any part of a premises used for human habitation.

Administrator of Population Management: A Statutory Official, appointed by the Committee for Home Affairs, with day-to-day responsibility for the administration of, and compliance with, the Population Management Law.

Aggregate residence: A combined total period of residence which includes unrecognised breaks in residence. This is important as only some qualifying routes towards Permanent Residency allow this type of residence.

Agreed Absence: A period during which a person is not in Guernsey under circumstances where the Administrator has agreed in writing to treat that period as an agreed absence for the purposes of this Law. There are two distinct types of agreed absence:

- Unbroken residence:
 - where two periods of ordinary residence interrupted by an agreed absence are deemed to be one continuous period of ordinary residence;
- Continuous residence:
 - where the agreed absence is deemed to be ordinary residence in Guernsey.

B

Bailiwick of Guernsey: includes all islands of the Bailiwick and territorial waters adjacent thereto.

C

Certificate: A document issued to a person who is entitled to be a householder (certificate holders can only exercise their right to be a householder when they are aged 16+).

Common Travel Area (CTA): refers to the geographical area of the UK, Channel Islands, Isle of Man and Republic of Ireland.

Committee for Home Affairs: One of seven Principal Committees each of which has political responsibility for the development and implementation of policies relating to certain aspects of Island life. The Committee *for* Home Affairs has political responsibility for areas including: Population Management; crime prevention; law enforcement; justice; fire & rescue; trading standards; and civil defence.

Consecutive residence: a period of residence that is continuous without any breaks in residence (in terms of residential qualification). For Permits that have certain limits under the Population Management Law, this can include unrecognised breaks in residence.

Contract of employment: means a contract of service or apprenticeship (whether written or oral, express or implied).

Contravention: means failure to comply.

Criminal Convictions: however, expressed includes any conviction by or before a court outside the Bailiwick of Guernsey.

D

Deception: making false representation or submitting false documents (whether or not material to the application) or failing to disclose material facts.

Dependant Family (only applicable to people who require immigration permissions): Spouse (married/civil partner), Durable partner (unmarried: must be able to demonstrate a minimum 2-year relationship), Child (under the age of 18 at time of application).

See 'Immediate Family Member' and 'Extended Family Member' which is applicable to everyone under the Population Management Law, except in the case of a person who requires immigration permissions.

E

Entry clearance: Entry clearance is the process whereby a British High Commission or Embassy in another country grants permission to enter the UK and Islands. Commonly referred to as a visa, entry clearance provides evidence of a person's entitlement to enter the UK and Islands with a particular category of permission e.g. employment.

Employed (Population Management): Working in Guernsey in any occupation whether full-time or part-time, and whether under a contract of employment or as a self-employed person from which remuneration or profit in money or money's worth is or may be directly or indirectly derived.

Employee: a person engaged in an occupation under a contract of employment.

Employer: a person responsible under a contract of employment for paying the remuneration of an employee.

Employment (Immigration): unless exemptions noted, includes paid and unpaid employment, paid or unpaid work placements undertaken as part of a course or period of study, self-employed and engaging in business or any professional activity.

Established Resident: A person who has completed a period of 8 consecutive years of Local Market residence. Established Residents does not automatically confer the right to indefinite permission to remain in accordance with Immigration laws

EEA nationals: a national of a State which is a Contracting Party to the European Economic Area Agreement. A Swiss national shall be treated as an EEA national for the purposes of this employment permit policy.

Exempt employed person: If a person does not require immigration permissions is working in Guernsey for a non-Guernsey based employer, they will only require a Population Management Permit or Certificate if they exceed:

- 10 in 30 days (including non-working days); and
- 90 days within a 12-month period (including non-working days).

If they require immigration permission, these limits may no longer apply.

Extended Family Member: A householder's (or the householder's spouse/partner's): sibling; great-grandchild; great-great-grandchild; nephew/niece; grand-nephew/niece; grandparent; great-grandparent; great-great-grandparent; uncle/aunt; great-uncle/aunt; or first cousin.

[Click here](#) for a diagram of types of family members under the Population Management Law.

If a person requires immigration permissions, please see the definition of 'Dependant Family Member'.

English speaking county: a national of Antigua & Barbuda, Bahamas, Barbados, Belize, Canada, Dominica, Grenada, Guyana, Jamaica, New Zealand, St Kitts & Nevis, St Lucia, St Vincent & Grenadines, Trinidad & Tobago, or United States of America.

F

Full-time employment: contracted employment of at least 35 hours a week.

full-time household staff member: a person in full-time employment related to the running of a household of a dwelling inscribed in Part A.

full-time property staff member: a person in full-time employment related to the running of a hotel, or residential home or nursing home, inscribed in Part B or Part C.

G

Guernsey (Population Management): Island of Guernsey and its territorial waters.

Guest: A person who is not employed or resident in Guernsey, and who is accommodated by a householder for a combined period of not more than 90 days in any 12 month period.

Please also see 'Tourist'.

If a person requires immigration permission, please also see 'Visitor'.

H

Householder: A person who is at least 16 years of age and who is lawfully able to live in dwelling independently and accommodate other people in that dwelling.

Human Rights: The Human Rights Convention for the Protection of Human Rights and fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950 as it has effect for the time being in relation to the Bailiwick of Guernsey.

I

Immediate Family Member: A householder's: spouse/partner; child; parent; grandchild; father-in-law or mother-in-law.

[Click here](#) for a diagram of types of family members under the Population Management Law.

If a person requires immigration permissions, please see the definition of 'Dependant Family Member'.

Indefinite permission (leave) to Remain: For the purpose of immigration, this is permission to enter and remain in the UK and Islands with no time restrictions. Indefinite permissions are said to be settled or hold 'settled status' in the UK and Islands. Indefinite permissions to Remain is also often referred to as permanent residence in the UK or Islands. Indefinite permission to remain does not confer the right to Established or Permanent Residency accordance with Population Management laws.

L

Local Market Dwelling/Property: Any dwelling other than an Open Market dwelling.

Lodger: a person who occupies any part of a dwelling in circumstances where he is accommodated by, and that occupation is under the control of, the dwelling's householder.

N

Non-visa nationals: a person of a nationality that is not required to obtain permission to enter (visa) the Bailiwick as a holidaymaker / general visitor for a period of up to 6 months or is British/Irish, EU settled or pre-settled.

O

Open Market: A sub-set of Guernsey's housing stock that can be occupied by people who are not entitled to live in Local Market accommodation.

Open Market Dwelling/Property: A dwelling inscribed in the Open Market Housing Register.

Open Market Resident: A person who lawfully occupies an Open Market dwelling and who may not occupy a Local Market dwelling.

Ordinary Residence: A period of residence in Guernsey by a person who is:

- (a) living lawfully in Guernsey, and has their home in Guernsey, or
- (b) a minor living in Guernsey in the household of their parent.

Overseas: any country or territory that is outside the Common Travel Area

P

Parent: The genetic mother or father, or where an adoption order has been made.

Part A: The Part of the Open Market Housing Register relating to private family homes.

Part B: The Part of the Open Market Housing Register relating to hotels.

Part C: The Part of the Open Market Housing Register relating to nursing/residential homes.

Part D: The Part of the Open Market Housing Register relating to houses of multiple occupation (HMOs).

Permanent Resident: A person who holds a Permanent Resident Certificate or Status Declaration because they fulfil one of the criteria listed in section 3 and 6 of the Population Management Law. A Permanent Resident can live and work anywhere in Guernsey. They can also come and go as they please as often and for as long as they like without losing this status. Immigration legislation will be applied as this does not confer the right of immigration 'settled status'.

Population Employment Advisory Panel (PEAP): A panel made up of six members and a chairperson who represent the interests of all sectors of employment in Guernsey. PEAP members are appointed by the States of Deliberation on the recommendation of the Committee *for* Home Affairs.

The PEAP is the channel through which information flows to and from the Committee *for* Home Affairs, via the Administrator of Population Management, about skills and manpower shortages in Guernsey. The PEAP will also provide information about emerging sectors, and emerging employer needs, so that the Island is well prepared to meet the needs of its current and future employers. The PEAP also provides periodic reports to the Committee *for* Home Affairs about the effectiveness of current Employment Permit policies.

Prospective employee: A person who has received a conditional offer of employment from a person.

Prospective employer: A person who has made a conditional offer of employment.

Points based system means the entry system referred to by that name for the time being in force in the United Kingdom.

Public Funds: any benefit paid by the States of Guernsey or Committee to any person who has not paid any contribution towards the receipt of such benefit.

R

Recognised Break in Residence: The period of time during which a person is not resident in Guernsey that is of a duration equal to, or exceeding, that person's last period of residence in Guernsey.

Residence: Residence in Guernsey, including living in Guernsey without occupying a dwelling.

S

Settled status (settlement): Also known as settlement, for Immigration purposes, a person is deemed settled after indefinite permissions have been granted in the UK or Islands, if ordinarily resident in the UK or Islands a person with no restriction on the amount of time that they may remain in the UK or Islands. A person is restricted on the time period spent outside the CTA and cannot be away from the Bailiwick of Guernsey for more than two years, or in the case of person that are holders of EU settled status no more than 5 years. Population management legislation will be applied as this does not confer the right of established residency in Guernsey.

Status Declaration: The type of document that was issued to someone who qualified as a 'Permanent Resident' under the former Housing Control Law.

This gives an individual the right to live and work anywhere in Guernsey and can also leave the island for any duration and be able to return to Guernsey under the same conditions, as this document does not expire.

Under the Population Management Law, this has been replaced by a Permanent Resident Certificate.

Stepchild: a person (A) who is the genetic or adopted child of a person's (B) spouse or partner (C), and that when (A) first became a stepchild he was first resident in the island of Guernsey as a minor.

T

Tourist: A person living in Guernsey in tourist-registered accommodation or as a guest of a 'householder' (residing within their household) for a period not exceeding an aggregate of 90 days in any 12 month period, provided they are not in employment in Guernsey.

Please also see 'Guest'.

If a person requires immigration permission, please also see 'Visitor'.

V

Visa nationals: People who always require entry clearance permissions (visa) to enter the UK and Islands, even for a short visit e.g., holiday, family visitor.

Visitor: a person living and working outside the Bailiwick of Guernsey who comes to the Bailiwick as a tourist. Persons who require immigration permissions to enter and do so as a visitor; cannot take employment or study, cannot receive private medical treatment, must not intend to marry and are not able to access public funds.