

STATES OF DELIBERATION

29th July 2015

Billet d'État No. XIV Article 6

AMENDMENT

Proposed by: Deputy A H Brouard
Seconded by: Deputy M M Lowe

Policy Council Population Management Regime: Transition Arrangements and Other Matters

In Proposition 1(o), to delete “from commencement of the new Law and will not be applicable to anyone born before that date” and substitute “to children who are under 8 years of age at commencement and who have been lawfully resident since birth, and to children born after commencement”.

Explanatory Note

This amendment allows existing on Island children with a local ancestral line to qualify at commencement. For those families who have never left the Island, it overcomes the anomaly of younger siblings having greater rights by qualifying at birth than an older sibling who under the proposals would have to complete up to a further 8 years of residency before being granted Permanent Resident status. Siblings older than 8 years in this situation will qualify as Permanent Residents anyway on commencement and therefore do not need and are not affected by this amendment.

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AMENDMENT

Proposed by: Deputy M H Dorey

Seconded by: Deputy B L Brehaut

Policy Council

Population Management Regime: Transition Arrangements and Other Matters

In Proposition 1(b) to insert at the end of the words ", but, contrarily to paragraph 2.24, only lodgers who have a right to occupy Local Market accommodation (and only up to two such lodgers) may be accommodated in any such dwelling".

Explanatory Note

The amendment applies to the 1,597 Open Market Part A private dwellings and the effect of this amendment will be:

Part A householders will not be allowed to accommodate lodgers who can only occupy Open Market property.

However, Part A householders may accommodate up to two lodgers who can occupy Local Market accommodation (i.e. Qualified Residents and licence holders).

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Article 6

AMENDMENT

Proposed by: Deputy J P Le Tocq

Seconded by: Deputy P A Luxon

Policy Council

Population Management Regime: Transition Arrangements and Other Matters

In Proposition 1(b) to delete “those individuals described in paragraphs 2.11 to 2.24 of that Policy Letter” and substitute “people with a familial connection through blood or marriage, or a relationship akin to a marriage, and for the avoidance of doubt including step- and adoptive relationships, together with full-time live-in staff and their immediate family members, house guests as set out in paragraph 2.16 and lodgers as set out in paragraphs 2.22 to 2.26”; and in consequence to delete Propositions 1(t) and 1(u).

Explanatory Note

This amendment would:

- a) broaden the range of family-like arrangements permitted to occupy Part A Open Market dwellings beyond those individuals identified in paragraph 2.15;
- b) remove the restriction to 5 years' residence in the Island in respect of live-in staff (and their immediate family members) in such dwellings that is proposed by paragraph 2.20.

It also corrects the paragraph number references in Proposition 1(b).

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Article 6

AMENDMENT

Proposed by: Deputy J P Le Tocq

Seconded by: Deputy P A Luxon

Policy Council

Population Management Regime: Transition Arrangements and Other Matters

In each of Propositions 1(y) and 1(z), immediately after “to remain in that accommodation”, to insert “, or in principle to move to other accommodation so inscribed,”; and in Proposition 1(z) to delete the words “until such time as there is a material change in circumstances” and replace with “indefinitely”.

Explanatory Note

This amendment would permit, in principle, those resident in Part D accommodation (including accommodation transferred from Part A), in the circumstances described in propositions 1(y) and 1(z), to move to other Part D accommodation during the period for which they would be permitted to remain which, for those whose residence already exceeds 5 years' duration, will be indefinitely.