

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY P.V.F. LE CLAIRE OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 15th FEBRUARY 2011**

Question

In which month of which year will the Chief Minister bring forward for debate the new Migration legislation?

Will the new Migration Law solely cover people and their migration in and out of Jersey?

To what extent will the new Law cover the existing property market, if at all, and in what way?

Would the Minister advise how a person's residential and employment status shall be determined to be –

- (a) Entitled
- (b) Licensed
- (c) Entitled for work only; or
- (d) Registered

Under which circumstances will they be capable of losing any particular residential or employment status?

How many people are currently estimated to be less than ten years resident in the Island and how many of those will be able to purchase property when the law has been in existence for 1 week?

Answer

The legislation will be lodged by the end of February/early March 2011 latest, with the aim of a May, 2011 debate.

The new legislation will place obligations on the following people to register/make notification:

- All new residents
- All persons obtaining new work, unless they have already made notification
- All persons leasing or purchasing property
- All persons moving address
- All persons ceasing to be resident in the Island.

Administratively, these obligations will be brought together with other existing obligations in so far as this is possible, for example, persons registering for Social Security will also be registered for the above. In that way, the law is not designed to be onerous, while also substantially improving information gathering and compliance.

The new legislation will cover all residential property in Jersey, assigning to all units a residential status, whether “Qualified” or “Registered”, and dealing with who may purchase or lease and occupy that property with reference to residential status.

The gaining and retaining residential status will be dealt with by Regulation, with the following presently proposed:

- (a) Entitled – a person will be Entitled after 10 years residence, this being continuous residence for person not born in Jersey, and aggregate residence for a person born in the Island; a person will lose this status having been out of the Island for longer than an aggregated period of 5 years, with some additional provisions to give greater protection to very long standing residents.
- (b) Licensed – a person may be granted Licenced status if their employer has been granted the required permission; and a person may lose this status if the permission expires or their employer uses the permission for another employee.
- (c) Entitled for work only – a person will be Entitled for Work following five years continuous residence; and this status is lost on ceasing to be resident in Jersey
- (d) Registered – all other persons required to register; they are required to de-register on ceasing to be resident.

The above is broadly as consulted upon. The full details will be available very shortly when the Law is lodged – when the Regulation dealing with the above will also be published.

There are approximately 10,000 persons in Jersey with less than 10 years residence, of whom, 1,700 are 1(1)(j) residents, almost all of whom have the ability to buy property and will continue to do so. To put it another way, the proposed legislation will not add one single person to the pool of potential purchasers in Jersey.