Guidelines for using this document:

Complete Qualifying questions 1-9 and shade in the boxes to confirm if you agree or disagree. If the application fails on any of the qualifying criteria, you should halt the review and call the business to explain what steps need to be taken before the application can be continued. This can be found in column 'E' 'officer notes'

Once the application has passed the qualifying questions, you should move on to the main questions, shading the appropriate 'agree/disagree' box in the spreadsheet. Where you are unsure whether the information agrees or disagrees with a specific criteria or the consideration has prompted another question, you should record this in the notes text box and then ensure you call the business to find out the answer

In order for a resident business licence to be granted, the application must agree with all factors on the consideration document.

order for a resident business licence to be granted, the app			Pulling and the A	Baltana attan 3	Delies entire 2
Qualifying questions	Agree Disagre		Policy option 1	Policy option 2	Policy option 3
1 The applicant does not already have a business		Sometimes an applicant will forget they had a licence in place. If this is the case and the new activity is the same, let them know the application is withdrawn			
licence for this activity The applicant (s) have an in date Entitled/Entitled for		Enter the social security number of the applicant (s) on Nessie to verify their residential status and expiry date	In addition, the Policy of the Minister is to grant Registered permissions only where it adds the	-	There is no presumption against people who are not reside
work status		If either applicant is 'Registered' or you are unable to verify they are Entitled for work, stop the review and call the applicant to determine if they are (a) planning on	greatest economic or social value, and the application received is not considered to be compelling		or Registered from being the beneficial owners of an
		working in the organisation and (b) they believe their status to be Entitled/Entitled for work. Scenario 1: If (a) and (b) are true ask the applicant to email customerservice@gov.je to update their residential status. Pause the application until this is completed and	enough to justify granting a business licence. In particular the application relates to an undertaking which provides services that are readily available from other undertakings in the Island and where	The Minister encourages new enterprises, but within the limits of policy and to grant a business licence inclusive of a person [or	undertaking. However, ownership does not confer any right to work in an undertaking or to obtain a permission to work
		the applicant in question has entitled for work status.	there is demand for such services the expectation is that other undertakings will respond to that	persons] whose status is Registered will place, or has the potential	that undertaking (and permission may be refused if there a
		Scenario 2: If the applicant is Registered, but not planning on working for the organisation, gain written confrimation of this before proceeding with the review of the	demand without the need to grant a business licence inclusive of a Registered permission taking into account the Policy of the States of Jersey to control migration.	to place, <u>demands on the Island's limited resources</u> , for example, health, education, housing, transport systems.	reasonable grounds to believe this to be the case).
		application. Scenario 3: If the applicant is Registered and is planning on working in the organisation, inform them that normal policy is to grant a business license to working	in particular the business is unable to provide information regarding the businesses track record		
		owners that have 'entitled for work' status and that the application is likely to be refused. Consider if the application is offering additional high value employment to	 in particular the business is unable to provide information regarding the businesses track record in terms of business turnover, profitability, contribution to tax revenues etc. to demonstrate expected 		
		Jersey residents or offering significant economic/social benefit. If so, refer the application to Locate Jersey for consideration. If the applicant does not warrant a referral to Locate Jersey, then the application should be refused.	benefits to Jersey if operating in Jersey.		
		reterral to tocate sersey, then the application should be refused.			
3 the applicant has provided evidence to confrim their		This gives confrimation that the organisation is a legal entity and therefore according to article 23 (b) of CHWL the business licence can be in this name. If the applicant	t	1	
association has been incorporated in the Royal Court		does not have this, we should contact the Judicial Greffe who maintain a copy of the list of incorporated associations. Jason Troy, Proceedings Officer is our current			
		contact (j.troy@courts.je). You should email Jason and copy in the reception on jgreffe@courts.je requesting confrimation that the applicant is an incorporated association incorporated in the Royal court under the Loi (1862) sur les teneures en fidéicommis et l'incorporation d'associations. If Jason leaves, we should look to			
		create a new contact at the Judicial Greffe who can confirm the list of entities that have been incorporated.			
4 The applicant has provided a copy of an email from		An NPO is an organisation established solely or primarily for charitable, religious, cultural, educational, social, or fraternal purposes, with the intention of benefiting			
the JFSC confirming they have successfully registered		the public or a section of the public and which raises or disburses funds in pursuance of those purposes. Funds raised must never be paid out to individal members as			
and remain registered as a 'Not for profit' (NPO) organisation.		profit. It will also include an organization by means of persons acting as trustees of a trust. Any NPO that raises more than £1000 in a 12 month period (e.g. a sports club through memberships) must register with the JFSC. Registration allows the JFSC to check that the organisation is not being used to fund illegal or illicit activity at			
organization.		the point of registertion and also gives the commissioner the power to request information in future from a registered NPO should concerns arise under the not for			
5 The applicant has provided a signed copy of the		profit (Jersey) law This is in place to confirm that the organisation is well governed and ha a clear set of members and rules.			
Associations constitution which contains a list of		inis is in place to commit that the organisation is wen governed and no a dear set of members and rules.			
committee members and their roles and the rules					
and aims of the organisation. 6 If the Organisation is one of the following, they must		Taxi Driver/Taxi App - Approval is first needed from the DVS and you should contact Richard Le Marquand (R.LeMarquand@gov.je) to check if DVS licence has been			
have gained the prior agreement of the authority		issued. If confirmed, continue to review the application. If no licence has been issued, you should pause the application and notify the applicant that they must first ge	t		
listed in Cell E6: - Taxi Driver or taxi app		DVS approval providing DVS contact details as necessary. Use the following template: "Good morning Richard Please can you confirm if (insert name) (insert DOB) has satisfied the requirements of DVS to be a taxi driver."			
- Any form of gambling		Please can you confirm it (insert name) (insert DOB) has satisfied the requirements of DVs to be a taxi driver. Gambling - Approval is first needed from the Jersey Gambling Commission (JCG). If this approval is not provided, you should contact 828540 and request to speak to a	n		
- Cannabis cultivation		officer to determine if they have approved the activity. If no approval has been issued, you should pause the application and notify the applicant that they must first			
- Producing animal food - Food supplements		get JCG approval providing contact details as necessary. Cannabis cultivation - Organisations in this sector also require approval from the Health Minister. This process is significant and can take several months, so we can	Each application to commence a resident business and / or employ staff whose status is or would		
		issue the business licence before this licence is in place. However, we must email Scott Meadows on S. Meadows@gov.je to check if the new oranisation has begun the	be Registered or Licensed is looked at on its own merits based on the criteria we have regard to:		
		process. If they have, we can continue the review of the application. If they have not, we should pause the application and request that they speak with Scott before they come back to notify us if they would like to continue with the application. Once Scott is content that the organisation is underway with the application to the	Preserving and maximising the benefits of Jersey's resources Promoting a balanced and prosperous economy		
		they come back to notify us it they would like to continue with the application. Once scott is content that the organisation is underway with the application to the Health Minister, we can continue to review the application as the organisation will require a business licence to begin employing staff, open bank accounts etc	c. Protecting the integrity and reputation of Jersey in commercial and financial matters		
		Producing animal food - please refer all applications to Alistair Breed, Chief Veterinary Officer. This is a highly regulated area and it's unlikely that they will meet the	d. Any relevant policies of the States of Jersey e. Whether such a grant would be in the public interest; and		
		requirements to do this type of activity - Animal Health Waste Food Order (Jersey) 2018 as amended https://www.jerseylaw.je/laws/unofficialconsolidated/Pages/02.020.95.aspx /	o. Through source grant would be not tre public interest, and		
		- Animal Health (Animal By-Products) (Jersey) Order 2018 as amended https://www.jerseylaw.je/laws/revised/Pages/02.020.15.aspx			
		Retailing food supplements - there is no permission they need to acquire first. However if the application is successful we place the following condition on the licence			
		'that this licence is granted subject to there not being any contravention of the Medicines (Jersey) Law 1995, as amended (or any enactment made under it)'.			
7 the activity is NOT listed on table 1 of the JFSC's		If the activity is listed on table 1, you should halt the application and explain that the applicant must first speak with the JFSC and incorporate a company in Jersey. This	s		
Sound business practice policy ("Registered, Authorised an/or supervised activities") -		is required by anyone wishing to undertake supervised activities. Explain that once they have successfully done this, they should complete the business licence for a limited company. Contact details for the JFSC can be found here: https://www.jerseyfsc.org/			
8 The activity is NOT listed on table 2 of the JFSC's Sound business practice policy ("Activities that pose a		If the activity is listed, pause the application and notify the applicant that given the activity, further advice is being sought. Refer to a Specialist Officer who will seek th advice of the relevant specialist operation of the relevant specialist government department to support decision making. Following the advice, refer up to management to confrim decision making and	Each application to commence a resident business and / or employ stair whose status is or would		
potential risk to the reputation of the Island and are		asvice or the revenit specials government department of support decision making, I disowing the davice, refer up to management to commit decision making and see if there are any other bodies that should be sought for a view.	be Registered or Licensed is looked at on its own merits based on the criteria we have regard to: a. Preserving and maximising the benefits of Jersey's resources		
not within the scope of table 1")					
			b. Promoting a balanced and prosperous economy		
			c. Protecting the integrity and reputation of Jersey in commercial and financial matters		
			Protecting a beancies and prosperous economy Protecting beancies and prosperous economy Any relevant policies of the States of Jersey Whether such a grant would be in the public interest; and		
			c. Protecting the integrity and reputation of Jersey in commercial and financial matters d. Any relevant policies of the States of Jersey e. Whether such a grant would be in the public interest; and		
9 The organisaton is NOT requesting Registered or lirensed staff			c. Protecting the integrity and reputation of Jersey in commercial and financial matters d. Any relevant policies of the States of Jersey e. Whether such a grant would be in the public intenst: and In addition, the Policy of the Minister is to grant Registered permissions only where it adds the		
9 The organisaton is NOT requesting Registered or Licensed staff		Licensed permission consideration template. Locate Jersey and Digital Jersey often support new business applications requiring Registered/Licensed permissions, so if the application has not come from one of these partners, you should contact them to see if they would support the applicant.	c. Protecting the integrity and reputation of Jersey in commercial and financial matters d. Any relevant policies of the States of Jersey a. Whether such a grant would be in the public intenst: and In addition, the Policy of the Minister is to grant Registered permissions only where it adds the greatest economic or social value, and the application received is not considered to be compelling enough to justify granting a business itence. In particular the application relets to an undertaking	The Minister encourages new enterprises, but within the limits of	or Registered from being the beneficial owners of an undertaking. However, ownership does not confer any rigit
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Main questions 1 Check the form has been filled out fully and correctly 2 check the nature of the undertaking to ensure that it makes reasonable sense 3 if the activity involves activity with vulnerable adults or children ensure the applicant has provided a basic DBS within the last 6 months 4 You have received written confirmation that the applicant understands that their NPO registration does not give them any protections over the name they have chosen and there is nothing stopping another organisation choosing the same name. To safeguard against this, they should register their organisation name (e.g., lersey Cricket Board) as a registered business name with the JFSC using the		Ucensed permission consideration template. Locate lersey and Digital Jersey often support new business applications requiring Registered/Licensed permissions, so if the application has not come from one of these partners, you should contact them to see if they would support the applicant the applicant. If it is unlikely that the requested Registered/Licensed permissions would be granted, you should discuss the importance of this with the applicant before continuing with the review as they may decide not to continue with the application if they are not permitted the additional staff member If any sections have been missed, contact the applicant to fill in over the phone. If the signature has been missed, the applicant will need to come in to complete this. A business licence can be issued in accordance with the information submitted, so we do not need to worry too much about what it says for the nature in the application, we can just place in what the applicant said. However, there are word limits on CRM and there are occasions where the applicant wording does not make sense, so if the nature is to be something different from what the applicant wrote, we should call them to confrin they agree any proposed new wording A basic DBS check should be requested for any of the main officers of the committee who will be working in the organisation Send the following template: Dear (insert applicant name) While the business licence will be granted in your association name, this does not give you any protections over the name and there is nothing stopping another organisation choosing the same name. To safeguard against this, you can register your organisation name as a registered business name with the JPSC using the RBN1 from on the JPSC westing stamps are provided to the profit organisation operating in a Mote - There have been some occasions where organisations that are NPO's have been using a name that another commerical (for profit) organisation operating in a Mote - There have been some occasions where organis	c. Protecting the integrity and regutation of Jessey in commercial and financial matters d. Any relevant polices of the States of Jessey e. Whether such a grant would be in the public interest: and in addition, the Policy of the Minister is to grant Registered permissions only where it adds the greatest economic or social value, and the application recolved is not considered to be compelling enough to justify granting a business blence. 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