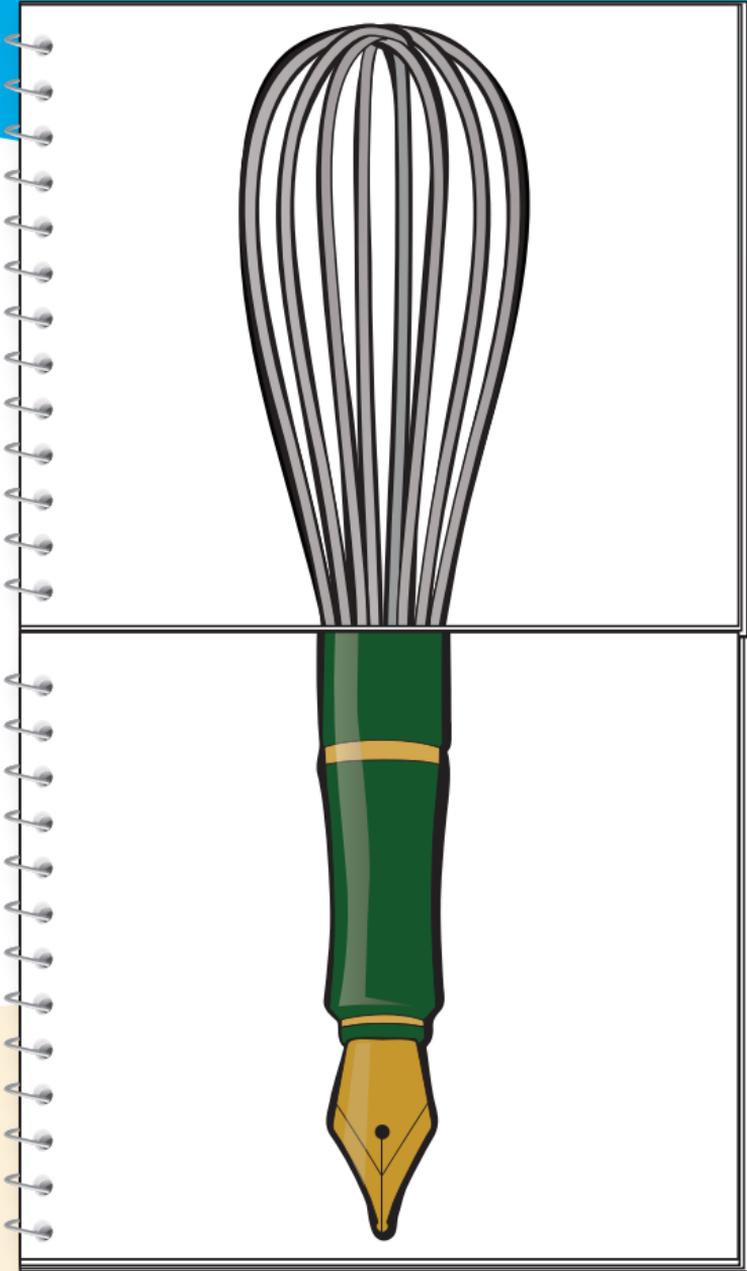


CONTROL OF HOUSING AND WORK LAW



A brief guide
for businesses

The Control of Housing and Work Law has been designed to streamline processes for businesses while significantly increasing compliance and enforcement.

Residential status categories

Four new residential categories are being introduced which will determine where someone can live and work.

RESIDENTIAL STATUS	DEFINITION	HOUSING	WORK
Entitled	Someone who has lived in Jersey for 10 years (see www.gov.je/RegistrationCards for details about how this is defined)	Can buy, sell or lease any property	Can work anywhere and doesn't need a licence to be employed
Licensed	Someone who is an "Essential Employee"	Can buy, sell or lease any property in their own name provided that they retain Licensed status	Employer needs a licence which specifies the maximum number of Licensed employees permitted
Entitled to Work	Someone who has lived in Jersey for a continuous period of 5 years immediately preceding the date of issue of the card, or is married to someone who is Entitled, Licensed or Entitled to Work	Can buy property with Entitled spouse/civil partner Can lease "registered" property (the new name for unqualified property) as a main place of residence	Can work anywhere and doesn't need a licence to be employed
Registered	Someone who does not qualify under the other categories	Can lease "registered" property as a main place of residence	Employer needs a licence which specifies the maximum number of Registered employees permitted

How will the law affect my business?

Recruiting staff

If you are recruiting new staff, it is your responsibility to check an employee's registration card for their residential status. You must see this card before they can start work. You should also ask for photo identification when checking their card and take a photocopy of both for your records. You must also confirm that a registration card has not passed its expiry date. An employee will no longer need a Social Security card.

The introduction of registration cards means you will no longer have to prove the residential status of your employees. It is your new employee's responsibility to obtain the card from the Social Security Department.

Your existing employees do not need to get a registration card.

Business Licences

When the new Law comes into force, your current permission for unqualified staff under the Regulation of Undertakings Law becomes the maximum number of "Registered" staff permitted to work for you under the new Law. You are free to recruit Registered staff as long as you stay within this maximum number.

If you have 1(1)(j) employees, the maximum number of "Licensed" employees permitted to work for you will be equivalent to the number of (1)(j)s you actually employ, plus any unused permissions.

You are free to recruit Licensed staff as you wish as long as you remain within this maximum number and any other conditions.

Some exemptions will exist in relation to short term employees and businesses.

The Population Office will keep these maximum numbers under constant review to support the employment of Entitled and Entitled to Work individuals.

You will not need a licence to employ people with Entitled or Entitled to Work status.

You will only need a new business licence if you are applying to increase your existing staffing permissions. Otherwise, you will not be issued with a new licence until your existing Regulation of Undertakings Licence expires. In this way, the introduction of the new Law should cause the minimum of disruption.

Compliance

The Population Office will support businesses as they get used to the new arrangements, but will take action to support local employment where a licence is in breach.

Manpower returns

A new, easier, manpower return process aligned with the existing Social Security and Income Tax returns will be introduced under the new Law. You will be given separate guidance on this.

Ownership controls

At present, the Population Office must be informed every time a business changes ownership. Under the new Law, you will only need to ask for permission if a business is no longer majority owned by Entitled, Entitled to Work or Licensed persons.

For more detailed information,
visit www.gov.je/registrationcards

If you have any questions,
please call 448905 or email
registrationcards@gov.je