

Residency and Immigration in Jersey

'Locate Jersey were clearly supportive of our industry and pointed us in the right direction locally to help establish ourselves in the Island. Particularly impressive was the follow-up support we received from them after our move. Relocating to a new environment can be stressful, and that sort of sustained support from a government body is rare and shouldn't be underestimated.'

Sarah Garrod, Maven Partners



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Jersey

Jersey.
For business.
For life.

Ordinarily you have to complete 5 years of continuous residence in Jersey, and gain Entitled for Work status, before you can start a business or work in any job. You have to complete 10 years of continuous residence, and gain Entitled status, to achieve full residential and employment status.

However, Jersey welcomes applications from:

- **Skilled and economically active high net worth individuals**
- **High value activity businesses and their principals which are engaged in, or with, high growth potential, who are looking to relocate and move their future global operations offshore**

For these individuals there are two routes that can be followed:

- **Business relocation and associated residential permission as an essential employee or business principal (Licensed - residential and employment status)**
- **High value residency and associated residential permission (Entitled - residential and employment status subject to specific conditions)**

See table on page 1 for definitions of residential status

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› Residential, employment and immigration status

The Control of Housing and Work (Jersey) Law has four main categories of residential and employment status which determine where you can live and work in Jersey (please refer to www.gov.je/working/contributions/registrationcards/pages/residentialstatus.aspx for details of how these are defined).

RESIDENTIAL STATUS	BROAD DEFINITION	HOUSING PERMISSION	WORK PERMISSION
› ENTITLED	Someone who has lived in Jersey for 10 years	Can buy, sell or lease any property	Can start up a business and work anywhere – no permission required to be employed by a trading Jersey business
› ENTITLED CONDITIONS APPLY ¹ (High Value Residency)	Someone who has been granted Entitled status on social or economic grounds in the best interests of the community	Can buy or lease one residential property as their main place of residence for as long as Entitled status is retained (should be limited to properties of a high value, generally in excess of £1,750,000 for a freehold house and £900,000 for an apartment, and with some prestige element, e.g. set in its own extensive private grounds, coastal aspect, etc.)	Can start up a business and work anywhere for as long as Entitled status is retained – no permission required to be employed by a trading Jersey business
› LICENSED (essential employee or business principal)	Someone who works, or has been appointed to do work for a Jersey business, that business having allocated one of its Licensed permissions on its business licence to the individual. The permission may be time-limited and renewable based on a performance review ² of the business and the role being undertaken	Can buy or lease one residential property in their own name as their main place of residence (apart from first time buyer restricted or social rented housing) for as long as Licensed status is retained	Can start up and/or work for the business for which the Licensed permission was granted. Employer needs permission to employ a Licensed person
› ENTITLED FOR WORK	Someone who has lived in Jersey for 5 consecutive years immediately before the date that their registration card is issued, or is married to, or the civil partner of, someone who is Entitled, Licensed or Entitled for Work	Can buy Qualified property jointly with an Entitled or Licensed spouse or civil partner only. Can lease Registered property in their own name as their main place of residence	Can start up a business and work anywhere – no permission required to be employed by a trading Jersey registered business
› REGISTERED	Someone who does not qualify under the other categories	Can lease Registered property as their main place of residence	Employer needs permission to employ a Registered person

¹ - Under the Income Tax (Jersey) Law an individual applying for High Value Residency must be able to demonstrate that they have a comfortable and sustainable worldwide income in excess of £725,000 on which they would pay 20% income tax (£145,000 per year) and for anything in excess of £725,000, the tax is levied at 1%.

Additional conditions which may be attached to the Entitled status of an approved high value resident include, but are not restricted to, the following:

- That they can only lease or purchase one single unit of residential accommodation for occupation as their main place of residence in Jersey, unless otherwise agreed by the Minister, and permission to retain ownership of, and occupy Qualified property will depend in future on them retaining Entitled status;
- That any property, or shares in a company owning a property, purchased by them either in their individual name, or via a body corporate, must be subject to Land Transaction Tax or Stamp Duty;
- That the Entitled status will be subject to a specified review period effective from the date of arrival. This will be to confirm sufficient income is generated so that there is confidence the minimum income tax liability will continue to be met going forward.

² - Relocating businesses are required to provide a business plan in support of an application for a business licence. There are a number of criteria required to be addressed within this plan as well as specific information regarding the existing business and the proposed Jersey business. The progress of the proposed business will be assessed against this plan at the end of the term of the Licensed or Registered permission, and consideration given as to whether or not the business licence and/or personal permission will be renewed.



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› Living and working in Jersey - FAQ

Q: What residential/working status will my husband/wife/civil partner have if I get permission to relocate to Jersey?

Each application is dealt with on a case by case basis, usually however, if you have been granted Entitled status as a High Value Resident, or a Licensed permission as a business principal or essential employee, whilst you retain that permission, your husband/wife/civil partner will be granted Entitled for Work Only status. If you are granted a Registered permission, your spouse or Civil Partner will also have Registered permission.

The Residential and Employment Status policy guidance has more detailed information and is available here www.gov.je/working/contributions/registrationcards/pages/residentialstatus

Q: My partner and I are not married, what residential/working status will they have?

Each application is dealt with on a case by case basis. If you are not married to your long-term partner, they would be given Registered status until they have completed 5 years residency in their own right at which time they would become Entitled for Work Only. Before that time, should they wish to apply for a role with a company in Jersey, or start their own business, that company would need to have a permission to employ an individual with Registered status. In limited circumstances, a Registered person's long-term co-habiting relationship (>3 years) with an Entitled or Licensed person will be taken into consideration as part of an overall assessment of an application by a company to employ that Registered person, or an application for a business licence by the Registered individual.

A long-term co-habiting relationship would need to be evidenced by documentation across the 3 year period, and be addressed jointly in both names wherever possible. If not all documentation is in joint names, then documents addressed to each person may be acceptable, provided they show the same address across the 3 year period. This evidence should be from different and authoritative sources e.g. joint mortgage, utility bills, bank statements, tenancy agreements, insurance policies/certificates or other correspondence, loan agreements, correspondence from government departments or agencies.

Please see www.gov.je/working/contributions/registrationcards/pages/residentialstatus

Q: I have a child/children under 16, how do the residential rules apply to them?

Each individual's residential status is specific to their circumstances and will be assessed as such. Broadly, when someone moves to the Island before the age of 16 they will have Registered status. On completion of 5 years continuous residence, they will have Entitled for Work Only status and they must complete 10 years continuous residence to achieve Entitled status.

If your child continues on to higher education, was ordinarily resident in Jersey immediately before embarking on the study involved, and both the parents remain ordinarily resident in Jersey for the entire period of the study, time spent at full-time education outside the Island may be considered as continuous ordinary residence in Jersey and counts towards the qualification period.

If your child arrived in Jersey at 16 years or under, is still in full time education and wishes to take up part-time employment before they reach 5 years continuous ordinary residence, the prospective employer will not be required to have Registered permission to employ them.

Q: I have a child/children over 16, what is their residential/working status?

Each individual's residential status is specific to their circumstances and will be assessed as such. Generally, when someone moves to the Island after the age of 16 they will have Registered status. On completion of 5 years continuous residence, they will have Entitled for Work Only status and they must complete 10 years continuous residence to achieve Entitled status.

Within the first 5 years of continuous residence, should the individual wish to apply for a role with a company in Jersey, that company would need to have a permission to employ an individual with Registered status. In limited circumstances, where the Registered person is under 25, and is the child of a resident Entitled/Entitled for Work Only or Licensed person, that person's relationship with an Entitled/Entitled for Work Only or Licensed person will be taken into consideration as part of an overall assessment of the application.

If your child is under 25 years old when you move to Jersey and goes on to higher education, was ordinarily resident in Jersey immediately before embarking on the study involved, and both parents remain ordinarily resident in Jersey for the entire period of the study, time spent at full-time education outside the Island may be considered as continuous ordinary residence in Jersey and counts towards the qualification period.



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› Living and working in Jersey - FAQ

Q: What happens if I become widowed, divorced or separated?

Each case is looked at according to the individual circumstances and will take account of Residential and Employment Status Policy Guidance (March 2018). Please see www.gov.je/working/contributions/registrationcards/pages/residentialstatus

Q: Will I need immigration permission to live in Jersey?

IF YOU ARE:

- › a British citizen
- › a European Union (EU)/European Economic Area member
- › the holder of an EEA family permit
- › a Swiss national

Then you do not need immigration permission to live in Jersey.

IF YOU ARE:

Not a national of a member state of the European Union (EU)/European Economic Area (EEA) then you may need immigration permission to live in Jersey and you must meet certain requirements if you wish to come to the Island to visit, study, or work.

Q: Will I need a UK visa?

If you are a non EU/EEA national and are travelling to Jersey from abroad, you may require a United Kingdom visa.

You can check if you need a UK visa on www.gov.uk/check-uk-visa

Q: Will I need a work permit?

If you are a non EU/EEA national and you have immigration permission to visit, work or reside in the UK, Guernsey or the Isle of Man, you won't need another UK visa or other immigration permission to visit Jersey.

However, you may need a Jersey work permit, issued by the Jersey Customs and Immigration Service, if you intend to take employment.

Full information on Jersey work permits is available here www.gov.je/working/workpermits/pages/needworkpermit

Q: I am an EU citizen, what happens after Brexit?

The government in Jersey will be operating their own version of the UK's EU Settlement Scheme to ensure that EU citizens who live in the Island are able to stay.

The Jersey EU Settlement Scheme will mean:

- › settled status will be granted to successful applicants who have been continuously living in Jersey for a total of 5 years or more by 31 December 2020, allowing them to continue to live and work in Jersey. They will also be able to apply for British nationality.
- › pre-settled status will be granted to those applicants who fulfil all the requirements of the application but have been living in Jersey for less than 5 years (including those who move to Jersey between the end of 2018 when the Settlement Scheme opens and 31 December 2020). After they have completed 5 years residence they can then apply for settled status.
- › family members who are living with, or join, EU citizens in Jersey by 31 December 2020 will also be able to apply for settled status, after 5 years in the Island.
- › close family members (spouses, civil and unmarried partners, dependent children and grandchildren, and dependent parents and grandparents) will be able to join EU citizens in the Island (where the family relationship existed on 31 December 2020).

EU citizens who arrive in Jersey after Brexit day (29 March 2019) will have to apply if they choose to stay in Jersey longer than 3 months.



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HOW TO APPLY FOR SETTLED STATUS

In order to apply for settled status you will need to provide the following to the Jersey Customs and Immigration Service:

- › an identity document (Passport or National Identity Document) and a recent photograph to confirm your identity and nationality
- › declaration of any criminal convictions

The government are making the application process as quick and user-friendly as possible, using a mobile app.

The application process will check three simple things:

- › your identity
- › the length of your residence in Jersey
- › any criminal convictions. Only serious or persistent criminality will affect eligibility for the scheme

Those who have already acquired indefinite leave to remain or permanent residence will have to apply to the Jersey EU Settlement Scheme in the same way as all other EU citizens.

IRISH CITIZENS

Irish citizens enjoy a right of residence in Jersey that is not reliant on any relationship with the EU. Therefore their ability to remain in Jersey is unaffected by Brexit and they will not have to apply for settled status under the Jersey EU Settlement Scheme.

For more information and updates www.gov.je/government/brexit/pages/brexitcitizens

Q: Am I allowed to purchase more than one property?

Licensed individuals are only permitted to own and occupy one property as their sole or principal place of residence.

2(1)e residents can, subject to certain conditions;

- › buy, develop and sell residential properties through a property development company – subject to the condition that any free-standing units of residential accommodation must be sold on completion of the development to Entitled or Licensed individuals
- › can buy residential properties in their own name where they have been unoccupied for more than 2 years, or on the market for sale for more than 2 years, subject to the condition that they lease that property to Entitled or Licensed persons
- › can buy a residential property that adjoins their main place of residence in Jersey if;
 - it can be demonstrated that the adjoining property more naturally falls within the same curtilage as the property already owned and occupied as their main residence

AND

- it is approved by the Assistant Chief Minister

It is expected that the purchase would be completed in the same name, either person or company, as their main residence. There may also be other conditions placed on the purchase.

N.B Any income derived from Jersey property is taxed at 20%.

› Useful links

- › Moving to Jersey www.gov.je/lifeevents/movingtojersey/pages/index
- › Jersey residential status explained www.gov.je/working/contributions/registrationcards/pages/residentialstatus
- › Work permits for non EU-Nationals www.gov.je/working/workpermits/pages/needworkpermit



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