

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 22nd OCTOBER 2013**

Question

Will the Chief Minister set out for members the arguments for and against the introduction of work permits for all persons wishing to live and work in Jersey, advising members of any legal impediments to the introduction of such permits?

Answer

The new Control of Housing and Work Law was introduced on the 1st July, 2013. The law was approved following some years of development and a number of States decisions. Alternative systems, like work permits, were evaluated as part of this process.

The primary arguments for and against work permits are as follows:

For

- A work permit regime requires individual recruitment decisions to have the approval of government, maximising the ability of government to secure those roles for established residents.

Against

- Many would see this level of control as a disadvantage. It means government second-guessing thousands of individual recruitment decisions, placing a significant burden on government, and more importantly on businesses. It increases the costs of recruitment and by extension of operating a business. In short, it reduces our economic efficiency.

The Control of Housing and Work law was designed to place an absolute limit on the ability of businesses to employ migrants, while *also* giving new powers to intervene where and when needed. For example, the law requires that all new recruits of a specific business have individual permission, which may be time-limited, and which may even specify where a person may live.

In this way, the new Law can act as a work permit system where deemed appropriate, in a targeted fashion. The “Interim Population Policy” being developed will outline these powers in full, and include recommendations as to how they may be used.

Legal position

British and European Union citizens have the right of abode in Jersey. Therefore, Jersey cannot apply border controls over such citizens. Instead, controls over access to housing and work can be proportionately used, including either the use of work permits, or the use of named and time-limited permissions under the Control of Housing and Work Law.

Any work permit system would need to be administered in a manner compliant with the Island’s international obligations.