



Jersey

**LONG-TERM CARE (RESIDENCY
CONDITIONS) (JERSEY)
REGULATIONS 2013**

Official Consolidated Version

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LONG-TERM CARE (RESIDENCY CONDITIONS) (JERSEY) REGULATIONS 2013

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LONG-TERM CARE (RESIDENCY CONDITIONS) (JERSEY) REGULATIONS 2013

THE STATES, in pursuance of Articles 3 and 16 of the [Long-Term Care \(Jersey\) Law 2012](#), have made the following Regulations –

Commencement [[see endnotes](#)]

1 Residency requirements

For the purposes of Article 3(2)(e) of the [Long-Term Care \(Jersey\) Law 2012](#) a person must meet any of the following conditions as to residency –

- (a) the person has been ordinarily resident in Jersey for a continuous period of 10 years or more –
 - (i) immediately prior to the person's claim for benefit under that Law, and
 - (ii) since attaining the age of 18 years;
- (b) the person –
 - (i) has been ordinarily resident in Jersey for a continuous period of 10 years or more since attaining the age of 18 years, and
 - (ii) has been ordinarily resident in Jersey for a continuous period of 1 year or more immediately prior to the person's claim for benefit under that Law;
- (c) the person –
 - (i) has not attained the age of 28 years at the time of the person's claim for benefit, and
 - (ii) the person has been ordinarily resident in Jersey for a continuous period of 10 years or more immediately prior to the person's claim for benefit under that Law; or
- (d) the person –
 - (i) has not attained the age of 28 years at the time of the person's claim for benefit under that Law,
 - (ii) has been ordinarily resident in Jersey for a continuous period of 10 years or more, and
 - (iii) has been ordinarily resident in Jersey for a continuous period of 1 year or more immediately prior to the person's claim for benefit.

2 Persons not treated as ordinarily resident in Jersey

- (1) For the purposes of Regulation 1 –
 - (a) a person detained by virtue of a sentence of imprisonment, youth detention or similar punishment (whether in Jersey or elsewhere) is not treated as ordinarily resident in Jersey during the period for which the person is so detained; and
 - (b) the period during which a person is ordinarily resident in Jersey immediately prior to such detention is treated as if it immediately preceded the person's release from detention.
- (2) For the purpose of Regulation 1, a person resident in Jersey for the purposes of his or her employment by an employer, where that employer is outside Jersey and such employment is covered by a reciprocal agreement, is not treated as ordinarily resident in Jersey for the period during which he or she is so employed.
- (3) In paragraph (2), "reciprocal agreement" means an agreement between any country or territory and Jersey whereby a person continues to be liable for contributions in respect of social security in that country or territory despite the fact that he or she works in Jersey.

3 Long-term care outside Jersey treated as ordinary residence

- (1) In this Regulation –
 - "accommodation services" means the provision of accommodation, including meals and other services incidental to the provision of accommodation
 - "long-term care services" means services, including accommodation services, provided to a person (of any age) for the purpose of providing to that person permanent help with activities that are an essential part of normal daily living (such as bathing, dressing, grooming, and eating), the provision of such services being arranged by the Minister (whether or not the person has been assessed as being in need of long-term care under the [Long-Term Care \(Jersey\) Law 2012](#));
 - "Minister" means the Minister for Health and Social Services;
 - "permanent" means continuing, or likely to continue, for the rest of a person's life.
- (2) For the purposes of Regulation 1, a person who has received long-term care services outside Jersey (whether before or after the commencement of the [Long-Term Care \(Jersey\) Law 2012](#)) is treated as being ordinarily resident in Jersey during the period such services were provided.

4 Citation

These Regulations may be cited as the Long-Term Care (Residency Conditions) (Jersey) Regulations 2013.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Long-Term Care (Residency Conditions) (Jersey) Regulations 2013	R&O.159/2013	12 December 2013

Table of Endnote References

There are currently no endnote references