Jersey

CONTROL OF HOUSING AND WORK (LICENCES AND EXEMPTIONS) (JERSEY) ORDER 2026

Official Consolidated Version

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Contents

Article

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THE CHIEF MINISTER makes this Order under Regulations 23 and 25 of the Control of Housing and Work (Residential and Employment Status) (Jersey) Regulations 2025 –

Commencement [see endnotes]

1 Interpretation

In this Order –

"exempt business activity" means an activity described in Schedule 2;

"exempt employment activity" means an activity described in Schedule 1;

"non-resident business" has the meaning given in Article 22(1) of the Law;

"resident business" means a business that is carried on in Jersey and is not a non-resident business.

2 Exemptions from requirement to have appropriate status for work

(1) A person is exempt from the requirement in Article 24(1) of the Law to have an appropriate status to work in Jersey for work that is an exempt employment activity.

(2) A person who works in Jersey for 10 days or less in a 12-month period is exempt from the requirement in Article 24(1) of the Law to have an appropriate status to work in Jersey.

3 Exemptions from requirement to have appropriate status under Law

A person is exempt from the requirement in Article 2(1) of the Law to have an appropriate status under the Law if the only work the person does in Jersey is an exempt employment activity described in Schedule 1, paragraphs 2 to 5.

4 Appropriate licence to carry on business in Jersey

For the purposes of Article 25(1) of the Law –

(a) the appropriate licence for a person that carries on a resident business is a resident business licence;

(b) the appropriate licence for a person that carries on a non-resident business is a non-resident business licence.

5 Exemptions from requirement to have appropriate licence to carry on business

(1) A person that carries on a business in Jersey is exempt from the requirement in Article 25(1) of the Law to have an appropriate licence to operate the business if the business involves only –

(a) exempt business activities; or

(b) activities that are reasonably incidental to exempt business activities.

(2) A person that carries on a business, except for a non-resident trading business, in Jersey for 10 days or less in a 12-month period is exempt from the requirement in Article 25(1) of the Law to have an appropriate licence to operate the business.

(3) In paragraph (2), "non-resident trading business" means a business operated by a person who –

(a) is not ordinarily resident in Jersey;

(b) does not have permanent business premises (as defined in Article 22(1) of the Law) in Jersey; and

(c) while physically present in Jersey, uses a place in Jersey, or moves from place to place in Jersey, to –

(i) sell, or offer or expose for sale, goods or services to the public; or

(ii) buy, or offer to buy, goods from the public.

(4) A person that carries on a resident business is exempt from the requirement in Article 25(1) of the Law to have an appropriate licence to operate the business if –

(a) the person is a sole trader or a company with only 1 member;

(b) the sole trader or member of the company has Permanent Entitled status, Entitled status, Licensed status, Licensed for Lease Only status or Entitled for Work Only status;

(c) the sole trader or the member of the company is the only person who works in or for the business; and

(d) the sole trader or the member of the company works in or for the business for less than 8 hours a week.

6 Appropriate staffing licence, content and conditions

(1) For the purpose of Article 24(2)(b) of the Law –

(a) the appropriate staffing licence for a resident business that employs an individual with Licensed status, Licensed for Lease Only status or Standard status is a staffing licence; and

(b) a resident business that does not employ an individual with Licensed status, Licensed for Lease Only status or Standard status is not required to have a staffing licence.

(2) A staffing licence must state, as a condition of the licence, the maximum number of individuals with Licensed status, Licensed for Lease Only status or Standard status that may work in or for the business that has the licence (the "maximum number").

(4) A person described in Schedule 3 (an "exempt worker") does not count towards the maximum number.

7 Citation and commencement

This Order may be cited as the Control of Housing and Work (Licences and Exemptions) (Jersey) Order 2026 and comes into force at the same time as the Control of Housing and Work (Amendment) (Jersey) Law 2022.

SCHEDULE 1

(Article 2(1))

EXEMPT EMPLOYMENT ACTIVITIES

1 Work for resident business that does not need licence

Work for a resident business that carries out only exempt business activities is an exempt employment activity.

2 Remote work for non-Jersey business for 60 days or less

Work by a person who is in Jersey for 60 days or less in a 12-month period, for a business that does not carry on business in Jersey, is an exempt employment activity (for example, a person who lives outside Jersey and works remotely for their ordinary employer while on holiday in Jersey).

3 Directors, partners, trustees etc. in Jersey for 60 days or less

(1) Work as a member of a governing body or an entity or arrangement by a person who is in Jersey for 60 days or less in a 12-month period is an exempt employment activity.

(2) In this paragraph, the following are members of the governing body of an entity or arrangement –

Type of entity or arrangement	**Members of governing body**
Company	Director, secretary
Limited liability company	Manager, secretary, deputy secretary
Partnership	Partner
Foundation	Member of the council, guardian of the foundation
Express trust	Trustee, enforcer, protector
Any other entity or arrangement	A person with equivalent responsibility to others in this table

4 Work for Jersey branch of international group for 60 days or less

(1) Work for a business that is part of an international group is an exempt employment activity if –

(a) the business has an appropriate licence to carry on business in Jersey; and

(b) the person doing the work –

(i) is in Jersey for 60 days or less in a 12-month period; and

(ii) does the majority of their work for the group outside Jersey.

(2) In this paragraph –

"group" –

(a) in relation to a company or limited liability company, means –

(i) that company or limited liability company;

(ii) the holding body of the company or limited liability company (within the meanings given by Article 2 of the Companies (Jersey) Law 1991 and Article 2 of the Limited Liability Companies (General Provisions) (Jersey) Regulations 2022);

(iii) the subsidiaries of the company or limited liability company (within the meanings given by Article 2 of the Companies (Jersey) Law 1991 and Article 2 of the Limited Liability Companies (General Provisions) (Jersey) Regulations 2022); and

(iv) the subsidiaries of the holding body of the company or limited liability company; and

(b) has an equivalent meaning for entities that are not companies or limited liability companies;

"international group" means a group consisting of –

(a) at least 1 entity registered outside Jersey that does not have, and is not required to have, an appropriate licence to carry on business in Jersey; and

(b) at least 1 entity registered in Jersey that has an appropriate licence to carry on business in Jersey;

"limited liability company" means a company registered under the Limited Liability Companies (Jersey) Law 2018.

5 Business visitor for establishment purposes in Jersey for 90 days or less

(1) Work as a business visitor for establishment purposes by a person who is in Jersey for 90 days or less in a 12-month period is an exempt employment activity.

(2) A person is a "business visitor for establishment purposes" if the person –

(a) works for an entity (other than a non-profit body) that is responsible for setting up a commercial presence in Jersey of a relevant service provider;

(b) primarily directs the management of the entity, receiving general supervision or direction principally from the board of directors or stockholders of the body, or from persons with equivalent responsibility to a board of directors or shareholders;

(c) is engaged in activities that are necessary for the setting up of the commercial presence of the relevant service provider;

(d) is not engaged in –

(i) selling goods or supplying services to the public; or

(ii) any economic activity that is not necessary for the setting up of the commercial presence;

(e) does not receive remuneration from a business that is carried on in Jersey; and

(f) is not directly employed by a business that is carried on in Jersey.

(3) In sub-paragraph (2), "relevant service provider" means a service supplier that –

(a) either –

(i) falls within Article I.2.d of the General Agreement on Trade in Services (which is part of Annex 1B to the Agreement Establishing the World Trade Organization done at Marrakesh on 15 April 1994); or

(ii) would fall within Article I.2.d of the General Agreement on Trade in Services if the United Kingdom and Jersey were treated as separate members of the World Trade Organization;

(b) has its principal place of business in the United Kingdom or in the territory of another World Trade Organization member; and

(c) has no other representative, office, branch or subsidiary in Jersey.

SCHEDULE 2

(Article 5)

EXEMPT BUSINESS ACTIVITIES

1 Regulated activities

(1) A regulated activity is an exempt business activity if –

(a) it is carried out by a non-resident business; or

(b) it is carried out by a resident business and every person who works in or for the business carries out the exempt employment activity described in Schedule 1, paragraph 3 (directors, partners, trustees etc. in Jersey for 60 days or less).

(2) In this paragraph, "regulated activity" means an activity in respect of which a person –

(a) is registered under the Banking Business (Jersey) Law 1991;

(b) holds a permit or is a certificate holder under the Collective Investment Funds (Jersey) Law 1988;

(c) is registered under the Financial Services (Jersey) Law 1998; or

(d) is authorised by a permit under the Insurance Business (Jersey) Law 1996.

2 Activities administered or managed by person carrying out regulated activities

An activity that is managed by a person or body of persons who carry out regulated activities (as defined in paragraph 1(2)) is an exempt business activity if –

(a) it is carried out by a non-resident business; or

(b) it is carried out by a resident business and every person who works in or for the business carries out the exempt employment activity described in Schedule 1, paragraph 3 (directors, partners, trustees etc. in Jersey for 60 days or less).

3 Providing accommodation or premises

(1) Providing accommodation or premises in Jersey is an exempt business activity if the business providing the accommodation or premises –

(a) does not carry on property development in Jersey;

(b) is not registered under –

(i) the Tourism (Jersey) Law 1948;

(ii) the Nursing Homes (Jersey) Law 1994;

(iii) the Regulation of Care (Jersey) Law 2014; or

(iv) the Lodging Houses (Registration) (Jersey) Law 1962; and

(c) either –

(i) is a non-resident business; or

(ii) is a resident business that provides 5 or fewer separate premises or units of accommodation in Jersey.

(2) In sub-paragraph (1)(c)(ii), a unit of accommodation or premises is “separate” from other units or premises in the same building if there is ordinarily no access between the unit or premises and the other units or premises.

4 Providing domestic or personal services

(1) Providing domestic or personal services is an exempt business activity if the business providing the services –

(a) is a resident business; and

(b) provides domestic or personal services to no more than 2 households.

(2) In this paragraph, “domestic or personal services” includes –

(a) gardening;

(b) cleaning (indoors or outdoors);

(c) cooking;

(d) ironing;

(e) nursing or other personal care services; and

(f) looking after children.

5 Activities carried out by business visitor for establishment purposes

An activity that is an exempt employment activity under Schedule 1, paragraph 5 is an exempt business activity.

6 Non-resident business responding to critical incident

(1) Performing an activity that is urgently required as the result of a critical incident or the aftermath of a critical incident is an exempt business activity for a non-resident business.

(2) In this paragraph, “critical incident” means an accident, emergency or similar unforeseen event that –

(a) threatens or causes serious damage to human welfare, or the environment, in Jersey; and

(b) is designated by the Minister, for the purposes of this Article, as a critical incident.

SCHEDULE 3

(Article 6(4))

EXEMPT WORKERS

1 Meaning of agency

In this Schedule, "agency" means a business that supplies workers who are employed by the business to work in or for another business.

2 Worker who replaces another worker during replacement period

(1) This paragraph applies if –

(a) a business employs or engages a person (a "replacement worker") to replace another worker;

(b) the replacement worker and the other worker both work in or for the business simultaneously for a period of 30 days or less (the "replacement period").

(2) The replacement worker is an exempt worker for the business during the replacement period.

(3) If the replacement worker is supplied to the business by an agency, the replacement worker is an exempt worker for the agency during the replacement period.

3 Worker providing cover for another worker

(1) This paragraph applies if a person (a "cover worker") works in or for a business to provide cover for another worker while the other worker –

(a) takes parental leave (as defined in Article 55A(1) of the Employment (Jersey) Law 2003) for 52 weeks or less;

(b) takes sick leave for 52 weeks or less; or

(c) takes any other leave for 3 months or less (including secondments or leave taken for training purposes).

(2) The cover worker is an exempt worker for the business while the other worker is on leave.

(3) If the cover worker is supplied to the business by an agency, the cover worker is an exempt worker for the agency while the other worker is on leave.

4 Worker working second job

(1) This paragraph applies to a person (an "eligible worker") who –

(a) has Licensed status, Licensed for Lease Only status or Standard status; and

(b) works in or for a business (the "first business") under the business's staffing licence for more than 25 hours per week.

(2) The eligible worker is an exempt worker for a business that is not the first business.

5 Agency worker

(1) This paragraph applies to a worker (an "agency worker") who –

(a) is employed or engaged by an agency to work in or for another business (the "principal");

(b) works in or for the principal under the terms of the agency worker's agreement with the agency (not under an agreement between the agency worker and the principal).

(2) The agency worker is an exempt worker for the principal.

6 Worker on zero hours contract

A person who is employed by a business on a zero hours contract is an exempt worker for the business during a period in which the worker does not work any hours in or for the business.

7 Workers performing certain exempt employment activities

A worker who is performing work that is an exempt employment activity under Schedule 1, paragraph 3, 4 or 5 is an exempt worker.

8 Short-term worker (10 days or less)

(1) A worker who works in or for a business for 10 days or less in a 12-month period is an exempt worker for the business.

(2) If the worker is supplied to the business by an agency, the worker is an exempt worker for the agency during the time the worker works in or for the business, but an agency may use this exemption only once in a 12-month period in relation to each worker.

9 Worker who became ordinarily resident in Jersey while under 25, financially dependent on parent

A person is an exempt worker if –

(a) they arrived in Jersey when they were –

(i) under 25 years old;

(ii) in continuous full-time education; and

(iii) ordinarily resident with and financially dependent on a parent with Permanent Entitled status, Entitled status, Licensed status, Licensed for Lease Only status or Entitled for Work Only status; and

(b) they have been ordinarily and continuously resident in Jersey since their arrival.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	Projet No
Control of Housing and Work (Licences and Exemptions) (Jersey) Order 2026	R&O.40/2026	14 September 2026	

Table of Endnote References

There are currently no endnote references