

Income Support Residence Test

Each adult included on an Income Support claim must pass the Income Support residence test to be eligible to claim some of the components that make up Income Support.

The rules about residency and Income Support were changed from 1 August 2012. There are special rules that apply if you were already claiming Income Support before this date; please contact the department for extra information.

Do I pass the residence test?

You need to satisfy one of the following to pass the Income Support residence test:

ordinary residence in Jersey without any breaks for the past five years immediately before the date that you claim Income Support

ordinary residence in Jersey without any breaks for at least five years at a time in the past, moving away (for less than five years) and then living in Jersey continuously for longer than the period spent away

ordinary residence in Jersey for at least ten years at any time in the past, without any breaks

Jersey-born adults only – ordinary residence in Jersey for a total of at least ten years at any time in the past. The ten years can be made up of a number of separate periods living in Jersey, with gaps in between

adult child of a parent with residential qualifications (A-H) – ordinary residence in Jersey for a total of at least ten years at any time in the past (you must have moved to Jersey before the age of 20 and your parent must have Jersey residential qualifications (A-H)). The ten years can be made up of a number of separate periods living in Jersey, with gaps in between

Example: 5 years' residency

You could pass test two (above) if you lived in Jersey without any breaks between January 2003 and January 2008 (five years), then moved to France for 18 months from January 2008 to July 2009. You would pass the test if you returned to Jersey in July 2009 and lived here without any breaks for longer than 18 months.

What is 'ordinary residence'?

Ordinary residence means living permanently in Jersey, and only leaving for holidays or other short trips. It means that you do not have another home in a different country which you return to on a regular basis. A seasonal worker who works in Jersey for eight or nine months of the year but returns to another country each year does not have ordinary residence in Jersey.

Breaks of up to one month per year are allowed to cover holidays and other absences.

Time spent in prison

Time spent in prison (as part of a custodial sentence) does not count towards a total period of residence, but it does not create a break in your residence record.

How do I prove that I pass the Income Support residence test?

Housing qualifications

If you have housing qualifications - 1(a), 1(d), 1(e), 1(f) or 1(h) - we will need to see a copy of the letter issued by the Housing Department or the Population Office. In most cases we will not need to ask you for any further information. If you have used a period in prison (as part of a custodial sentence) as part of the time to obtain your housing qualifications, you will need to provide further information.

Wage records

Most working-age people living in Jersey are in work, and the Social Security Department receives records of wages paid on a monthly basis for everyone working eight hours or more per week. If our records show that you have been working without any breaks for the last five years, the Income Support team will not need to ask for any further information.

If you have worked in Jersey for ten years in the past (without any breaks) we will check this against our records, and the Income Support team will not need to ask for any further information.

Time spent as a detached worker does not count towards your total period of residence. A detached worker is someone who is employed by an employer based outside Jersey and who continues to pay social security (or equivalent) contributions and income tax in another country.

Benefit records

If you have been receiving Income Support for the last five years without any breaks, our records will show this and the Income Support team will not need to ask you for any further information.

Other information

If you cannot prove your residence using employment records or Income Support, you will need to collect evidence from individuals and organisations that you have been in regular contact with during your period of residence in Jersey. These could include...

school records;

employer records (if you were working less than 8 hours a week);

doctor, dentist, hospital specialist or other medical professional;

religious leader or charity worker;

landlord;

lawyer or advocate;

police, prison or probation officer;

social worker, hostel manager, counsellor or health visitor; or

gym, club or association membership

It is likely that you will need to get evidence from more than one source to confirm your residence in Jersey.

This is a brief guide to the Law - some special circumstances may apply.