



Royal Court of Jersey
Viscount's Department

26th June 2025

Deputy Hilary Jeune
Chair, Environment, Housing and Infrastructure Scrutiny Panel

BY EMAIL

Dear Deputy Jeune,

Draft Residential Tenancy (Jersey) Amendment Law 202- Review

Thank you for your letter of 19th June, regarding the scrutiny panel's ongoing review of this draft legislation and in particular how certain provisions of the proposed legislation may operate in practice.

I am grateful for this opportunity to comment because, as far as I am aware, the policy team developing this law has not consulted with the Viscount. This is despite my colleagues in the Judicial Greffe informing the policy team that they should consult with the Viscount, especially in regard to evictions.

As a matter of general principle, the Viscount's authority, powers and duties to carry out evictions stem from the Viscount's role as the executive officer of the courts in Jersey. To that end, the Viscount does not carry out or enforce a decision of a tribunal unless that decision is backed by a court order or direction. I am therefore keen to ensure that the separate jurisdictions of the Petty Debts Court and that of the Rent Tribunal are very clearly set out in the draft law. As I understand it, the tribunal will deal with rent claims and the court will deal with evictions.

There is no proposed change to the enforcement of fines for offences, which is another area that the Viscount usually deals with. The new regulation making powers in Article 24 of the existing law establishing a civil penalty regime are unusual and I am unable to say how that might work in practice, however, in terms of enforcement, I note that the new provisions (new Article 18B) for the recovery of amounts to be paid or repaid under the law are to be recovered as a civil debt through court procedure in the usual way.

You have asked me in particular to comment in respect of the provisions of Articles 14 and 15 of the Draft Law regarding the Petty Debts Court's discretion to grant a stay of eviction and clarifying the role of the Viscount in cases where a stay of eviction is issued. These particular amendments do not give rise to any new practical consequences for the Viscount in enforcing an eviction, other than the usual delay in effecting an eviction for the duration of the period of the stay.

Yours sincerely

Viscount