

STATES OF JERSEY



DRAFT POSTAL SERVICES (TRANSFER) (JERSEY) REGULATIONS 200 (P.9/2006): AMENDMENT

**Lodged au Greffe on 28th February 2006
by the Minister for Treasury and Resources**

STATES GREFFE

DRAFT POSTAL SERVICES (TRANSFER) (JERSEY) REGULATIONS 200- (P.9/2006): AMENDMENT

REGULATION 6 –

For paragraph (5) substitute –

“(5) A condition of the transfer of immovable property under Articles 35 and 38(3) of the Law is that any unit of dwelling accommodation on the land comprised in the immovable property at the time of the transfer, or created on that land after the transfer, shall not without the consent of the Minister for Housing be occupied otherwise than by a person who falls within any class specified by the States by Regulations made under Part 4 of the Housing (Jersey) Law 1949, being a class to which the condition set out in Article 14(2) of that Law is specifically stated to refer by those Regulations.”.

MINISTER FOR TREASURY AND RESOURCES

REPORT

Draft Regulation 6(5) (whether the draft included in the original Project or this amendment) seeks to ensure that an important standard condition applies to each of the new companies that will own immovable property in Jersey.

That condition (set out in Article 14(2) of the Housing (Jersey) Law 1949) is as follows –

“Any unit of dwelling accommodation on the land at the time of the grant of this consent, or created on the land thereafter, shall not without the consent of the Minister be occupied other than by a person who falls within any class specified by the States by Regulations made under Part 4 of the Housing (Jersey) Law 1949, being a class to which this condition is specifically stated to refer by those Regulations.”.

The condition effectively requires each new corporate owner to ensure that residentially qualified persons will occupy any dwelling accommodation that may exist, now or in the future, on the land transferred to it.

As originally drafted, Regulation 6(5) applied the condition by an indirect route and by reference to the Housing (Jersey) Law 1949. The condition itself was not stated within the Regulation.

The amended draft Regulation 6(5) instead applies the condition as a direct condition of the transfer and sets it out in full. Given that the Regulations are registered in the Public Registry of Contracts, the exact terms of the condition attached to the land will therefore be immediately clear in the future, without the need to refer to the Housing (Jersey) Law 1949.

There are no financial or manpower implications for the States arising from the adoption of this Amendment.