

DRAFT HOUSING (GENERAL PROVISIONS) (AMENDMENT No. 17) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 15th October 2002
by the Housing Committee**



STATES OF JERSEY

STATES GREFFE

150

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Report

On 21st November 2000 the Housing Committee lodged au Greffe a report and proposition to the States as follows -

“THE STATES are asked to decide whether they are of opinion -

- (a) to agree, in principle, that the Housing (General Provisions) (Jersey) Regulations 1970, as amended, should be amended in order to reduce the twenty-year residence rule to nineteen years with immediate effect; and
- (b) to agree that further reductions in the required residence period should be made in stages, as soon as is practicable, until a fifteen-year residence requirement is reached.”

On 16th January 2001 the States debated the proposition which was approved by a clear majority. The previous twenty-year rule of continuous residence required by the Regulations was immediately reduced to nineteen.

On 12th February 2002, the States overwhelmingly approved a further amendment to the Regulations reducing the residence period required to eighteen years. **A considerable number of speakers in that debate expressed the wish that the Committee should have proposed a larger reduction.**

Many members will be very much aware that there are still many difficulties faced in the private sector by individual families without residential qualifications and those difficulties are not at this time becoming any easier. There is much comment generally regarding the divisive nature of the Regulations that in effect creates a two tier society. Whilst the Housing Committee’s overall aims are to address this basic issue itself, this cannot be achieved overnight and therefore the Committee **would wish** with immediate effect to reduce this period further from eighteen years to seventeen years.

The previous reductions from both twenty years to nineteen years, and from nineteen years to eighteen years, whilst allowing more people to qualify more quickly, has had no noticeable adverse effect on the housing market. Since the reduction from twenty years to eighteen years for example, nearly one hundred and eighty people have sought approval of their residential status under the new Regulations, over half of which have made no formal application to occupy property in the controlled sector, and only two of those applicants have actually been housed in the States Rental sector.

The Committee intends to continue its aims previously agreed by the States to subsequently reduce this period still further as soon as practicable.

This amendment has no manpower implications, and the Committee accepts that any financial implications in connection with any increase in rent subsidy provided or other cost implications will be contained within the Housing Committees previously agreed cash limit.

Explanatory Note

Regulation 1 of the Housing (General Provisions) (Jersey) Regulations 1970, as amended, provides that for the purposes of Article 10 of the Housing (Jersey) Law 1949, the Housing Committee shall consent to a sale or transfer of land or a lease if the Committee is satisfied that the intending purchaser, transferee or lessee has been ordinarily resident in the Island for a continuous period of at least 18 years immediately preceding his application.

The effect of these amending Regulations would be to reduce that qualifying period to 17 years.

If made, the amending Regulations will come into force 7 days later.

Housing (Jersey) Law 1949

HOUSING (GENERAL PROVISIONS) (AMENDMENT No. 17) (JERSEY) REGULATIONS 200-

(Promulgated on the _____ day of _____ 200-)

STATES OF JERSEY

The _____ day of _____ 200-

THE STATES, in pursuance of Articles 10 and 15 of the Housing (Jersey) Law 1949, as amended,^[1] have made the following Regulations -

1. In the Housing (General Provisions) (Jersey) Regulations 1970,^[2] as amended^[3] -

(a) in Regulation 1(1)(f), for the word “eighteen” there shall be substituted the word “seventeen”;

(b) in Regulation 1(2C), for the word “eighteen” there shall be substituted the word “seventeen”.

2. These Regulations may be cited as the Housing (General Provisions) (Amendment No. 17) (Jersey) Regulations 200- and shall come into force 7 days after they are made.

^[1] Recueil des Lois, Tome VII, pages 539 and 543 and Volume 1992-1993, page 117.

^[2] No. 5444.

^[3] Nos. 8866, 16/2001 and 14/2002.