

23.12.11.

13. Deputy S.Y. Mézec of the Minister for Housing and Communities regarding the delivery of a Residential Tenancy Law (OQ.250/2023)

Will the Minister state whether he will meet the timeline set in his delivery plan to lodge new residential tenancy law in quarter 4 of this year; and if not, why not?

Deputy D. Warr of St. Helier South (The Minister for Housing and Communities):

I thank the Deputy for his question. It is my intention to submit draft legislation for a new residential tenancy law in Q3 2024. I believe the Deputy knows that the new law will not be submitted according to the timeline he has referenced. Therefore, it is not immediately clear to me why he has asked the question, but I will nevertheless take the opportunity to provide some background. In November 2022, I proposed the nomination of chair and members of the Rent Control Tribunal but this proposition was paused through a reference back process in the States Assembly out of concern about the scope and powers available in the Rent Control Tribunal in the modern context. After a period of reflection, I decided to withdraw the proposition to reappoint the Rent Control Tribunal early this year and instead take a more holistic and less piecemeal approach to residential tenancy reform, which I hope is the approach the Deputy continues to favour. I decided to widen considerably the relatively narrow scope of the original planned update of the residential tenancy law developed under the previous Council of Ministers. My proposed expansion includes bringing social housing into scope of the law, incorporating a housing tribunal with a wider remit, looking at the best means of bringing in rent stabilisation and better alignment with public health and safety legislation. Given the importance and scale of these changes, I published a White Paper in April this year setting out my reform proposals. It was at this point I made clear that we had moved on from the original intention to do something more narrow in scope by the end of this year, clearly stating that new draft law would not be ready before spring 2024 because of its widened scope. I subjected my proposals to the scrutiny of a public consultation which ended in June this year. During the consultation, I engaged directly with Islanders and listened to their views. The results of the consultation will be published soon and I will take them into consideration in developing draft legislation. Due to the scale of engagement ...

The Bailiff:

Sorry, I must ask you to finish your answer, you have already been 30 seconds over.

Deputy D. Warr:

Sorry, I have one half paragraph to go, Sir.

The Bailiff:

Well, I do not know how long it will take you, Deputy.

Deputy D. Warr:

Okay. Shall I stop there? You want me to stop there?

2.14.1 Deputy S.Y. Mézec:

The Minister just referred to the results of the consultation being published soon. When is “soon”? Can he confirm when he is intending a new residential tenancy law to be in operation for everybody to benefit from?

Deputy D. Warr:

I thank the Deputy for his question. The consultation process has now completed. A draft report has been produced, which is being reduced in size because we want to be very, very clear about what we have been told by those who we have engaged with. We have to be very, very careful with this law because just under 50 per cent of all people in this Island are renters and if we get this law wrong by being too hasty, we will do them a great disservice.

Deputy S.Y. Mézec:

He did not attempt to answer the second part of my question, which was when we are looking at for a timeline for that law being in force.

Deputy D. Warr:

I just would like to reference my delivery plan for the Minister for Housing in 2024. We will develop and present law drafting instructions that will improve rental accommodation standards and provide enhanced protections for both tenants and landlords. Updated law drafting instructions were submitted in Q3 2023 for draft legislation in Q3 2024.

The Bailiff:

Yes, that sounds like draft legislation before the end of the year.

Deputy S.Y. Mézec:

My question was about when the law would be enforced. You can pass a law and say it does not come into force for a time period afterwards. I am trying to ...

The Bailiff:

I think your question is: is there any intention to defer the coming into force of the law once the Assembly adopts it? Was that the question? Are you able to answer that?

Deputy D. Warr:

No, Sir, because of the scale of the consultation process and the scale of the law.

2.14.2 Deputy L.V. Feltham of St. Helier Central:

Given that we have a housing crisis on the Island and housing is one of the areas of the Government's relentless focus, does the Minister feel that he has enough resource within his policy team in order to pass the necessary legislation in a timely manner to make real, effective change that Islanders so need?

Deputy D. Warr:

I do.

2.14.3 Deputy L.V. Feltham:

I am surprised to hear the Minister's answer given that the legislation has been delayed. Could he then confirm how much resource is laid out within the Government Plan for this policy and legislation work, and what arguments he may have made to other Ministers around the table of the Council of Ministers to ensure that the right level of resources is in place to lead to meaningful action quickly for Islanders?

Deputy D. Warr:

Sorry, I am just trying to unpack that question. The law drafting instructions were underway prior to me becoming the Minister for Housing and Communities so that gives some idea of the scale of the

law. In terms of resources, I believe we have the correct amount of resources. I have not had to fight with other Ministers to gain more resources. As far as I am aware, I am perfectly satisfied that the level of resource we currently have is perfectly adequate to deliver the law in the timeframe, as I have laid out.