

STATES OF JERSEY

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DRAFT PARISH RATE (ADMINISTRATION) (AMENDMENT) (JERSEY) REGULATIONS 200-

**Lodged au Greffe on 25th November 2003
by the Legislation Committee**

STATES GREFFE



Jersey

DRAFT PARISH RATE (ADMINISTRATION) (AMENDMENT) (JERSEY) REGULATIONS 200-

REPORT

The purpose of this amendment is to clarify the meaning of the word “occupier” and the position of a person who is an owner-occupier. The effect of the amendment is set out below in the Explanatory Note to Regulation 2.

There are no financial or manpower implications for the States as a result of this amendment.

Explanatory Note

Regulation 1 defines “Law” to mean the Law under which these Regulations are made.

Regulation 2 amends the definition of “occupier” in the Law. The current definition states that it means “in relation to land...the person who by agreement between that person and the owner of the land is entitled to occupy and use the land”. This suggests the occupier is a person distinct from the owner. The effect of removing the words is to ensure that owners of land can also be regarded as occupiers of the land for the purpose of the Law. It should be noted that owners may be regarded as occupiers of their land if it is unoccupied by a third person, even though they may not live in the property themselves, as they are “entitled” to occupy and use the land.

Regulation 3 specifies the Regulations are to come into force on 1st January 2004, to ensure the Regulations are in force when the Law commences. A person must be an owner or occupier on that day to be liable for rates for the year.



Jersey

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Made

[date to be inserted]

Coming into force

1st January 2004

THE STATES, in pursuance of Article 46 of the Parish Rate (Administration) (Jersey) Law 2003,^[1] have made the following Regulations –

1 Interpretation

In these Regulations “Law” means the Parish Rate (Administration) (Jersey) Law 2003.^[2]

2 Article 1 amended

The definition of “occupier” in Article 1(1) of the Law^[3] shall be varied by deleting the words “by agreement between that person and the owner of the land”.

3 Citation and commencement

These Regulations may be cited as the Parish Rate (Administration) (Amendment) (Jersey) Regulations 200- and shall come into force on 1st January 2004.

[1] *Recueil des Lois, Volume 2003, page 212.*

[2] *Recueil des Lois, Volume 2003, pages 189 and 373.*

[3] *Recueil des Lois, Volume 2003, page 192.*