

STATES OF JERSEY



DRAFT PUBLIC HEALTH AND SAFETY (RENTED DWELLINGS) (JERSEY) LAW 201- (P.66/2017): AMENDMENT

**Lodged au Greffe on 30th November 2017
by the Minister for the Environment**

STATES GREFFE

DRAFT PUBLIC HEALTH AND SAFETY (RENTED DWELLINGS) (JERSEY)
LAW 201- (P.66/2017): AMENDMENT

1 PAGE 18, ARTICLE 2 –

In Article 2(2)(ii) delete the words “including a zero-hours contract”.

2 PAGE 21, ARTICLE 6 –

In Article 6(3) –

- (a) in the opening words for the words “occupier or,” substitute the words “occupier and,”;
- (b) in sub-paragraphs (b) and (c), for the words “or person having control of the dwelling” in each place substitute the words “or, in the absence of the occupier, the person having control of the dwelling”.

3 PAGE 24, ARTICLE 10 –

In Article 10(2)(a) delete the words “or any other published guidelines”.

MINISTER FOR THE ENVIRONMENT

REPORT

Background

On 31st October 2017 the States Assembly adopted the principles of the Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 201- ([P.66/2017](#)), with 42 votes in favour and no votes against.

The Environment, Housing and Infrastructure Scrutiny Panel subsequently called in the draft Law for consideration. Following a constructive period of scrutiny, it was agreed that 3 minor amendments should be made to Articles of the draft Law for the purpose of clarification.

The 3 changes are –

- deletion of the words “including a zero-hours contract”, which is not a legally defined term
- confirmation that tenants must receive notice of intended entry, except in a few carefully defined circumstances
- removal of reference to “or any other published guidelines”.

These 3 changes provide additional clarity, but don't alter the meaning of the Law.

In the view of the Minister for the Environment, these minor amendments do not alter the compatibility of the Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 201- with the European Convention on Human Rights.

Collective responsibility under Standing Order 21(3A)

The Council of Ministers has a single policy position on this proposition, and as such, all Ministers, and the Assistant Ministers for the Environment, are bound by the principle of collective responsibility to support the proposition, as outlined in the Code of Conduct and Practice for Ministers and Assistant Ministers ([R.11/2015](#) refers).

Financial and manpower implications

Manpower

The amended Law will be implemented without any change to the current manpower levels of the Department of the Environment.

Financial

The amended Law will be implemented without any increase to the current financial budgets of the Department of the Environment.

The Law provides that the States may make Regulations to establish a scheme of licensing rented dwellings, and in particular to enable the Minister to issue and charge for licences.