

STATES OF JERSEY

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DRAFT HOUSING (GENERAL PROVISIONS) (AMENDMENT No. 20)(JERSEY) REGULATIONS 200

**Lodged au Greffe on 11th November 2003
by the Housing Committee**

STATES GREFFE



Jersey

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REPORT

1. On 21st November 2000 the Housing Committee lodged au Greffe Projet P.212/2000 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.”
2. On 16th January 2001, the States debated the proposition which was approved by a clear majority. The previous 20-year rule of continuous residence required by the Regulations was immediately reduced to 19 years.
3. On 12th February 2002, the States overwhelmingly approved a further amendment to the Regulations reducing the residence period required to 18 years. A considerable number of speakers in that debate expressed the wish that the Committee should have proposed a larger reduction.
4. On 12th November 2002, the States unanimously agreed a further reduction of 18 years to 17 years, but rejected an amendment to that proposal by Senator Paul Le Claire that the period should immediately be reduced to 15 years. The Committee at that time supported the sentiments behind Senator Le Claire’s report and proposition, but took the view that, based on the 2001 census figures, the potential impact on both the local housing market and financially on the Committee’s rebates and abatement scheme could be too great at one time.
5. On 24th June 2003, the States unanimously approved a further reduction in the period of residence required to 16 years.
6. Since the reduction to 16 years, a total of 131 persons have submitted proof to the Department that they have completed 16 years’ continuous residence but less than 17 years. Of this 131, 23 persons have purchased, 24 have leased, and 8 persons have been accepted on the States Rental waiting list.
7. Due to a change in economic conditions, there is currently increased availability of controlled housing accommodation across a wide range of prices, size and style. Although accepting that this proposed reduction will have some effect on the housing stock as a whole, the Committee is of the view that this is an ideal time to achieve the original States agreed aim of reducing the period to 15 years.
8. The Committee does not envisage introducing any further proposals to reduce the qualifying period pending the production of the Migration Policy proposals in 2004. The Committee is working with, and fully supports the aims of the Policy and Resources Committee to seek to bring about a fairer system of monitoring and controlling the population.
9. The Committee is firmly of the view that this is the ideal time to complete the proposals as agreed by the States in January 2001.
10. This amendment has no manpower implications, but the Committee accepts that there may be an increase in subsidy demand which, assuming 14 qualifiers become new claimants, could result in additional expenditure of about £58,000 for one year. This cost would be for one year only as these persons would be due to qualify in one year’s time anyway. The assumption of 14 new claimants is based on the uptake of rent subsidy by 7 new claimants who were also new qualifiers under the 16-year rule in the 6 months from April 2003 to the end of September 2003.

Explanatory Note

Regulation 1 of the Housing (General Provisions) (Jersey) Regulations 1970 provides that, for the purpose of Article 10 of the Housing (Jersey) Law 1949, the Housing Committee shall consent to a sale or transfer of land, or a lease of land, if the Committee is satisfied that the intending purchaser, transferee or lessee has been ordinarily resident in Jersey for a continuous period of at least 16 years immediately before he or she applies for the consent. These amending Regulations will reduce that period to 15 years. The period was reduced from 17 to 16 years earlier this year.

These Regulations will come into force 7 days after they are made.



Jersey

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Made

[date to be inserted]

Coming into force

[date to be inserted]

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

1 Regulation 1 amended

In the Housing (General Provisions) (Jersey) Regulations 1970^[2] –

- (a) in Regulation 1(1)(f) for the word “sixteen” there shall be substituted the number “15”; and
- (b) in Regulation 1(2C) for the word “sixteen” there shall be substituted the number “15”.

2 Citation and commencement

These Regulations may be cited as the Housing (General Provisions) (Amendment No. 20) (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] *Nos. 5444, 8866, 16/2001, 14/2002, 135/2002 and 52/2003.*