

DRAFT STATUTORY NUISANCES (JERSEY) LAW 1999 (APPOINTED DAY) ACT 200-

**Lodged au Greffe on 16th May 2000
by the Health and Social Services Committee**



STATES OF JERSEY

STATES GREFFE

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REPORT

1. Background

The Statutory Nuisances (Jersey) Law, adopted by the States on 22nd June 1999 and sanctioned by Her Majesty in Council on 24th November 1999, was registered in the Royal Court on 24th December 1999. The Law is to come into force on a day to be appointed by the States.

2. Implementation arrangements

Implementation of the legislation will be achieved through the Environmental Health Department's officers, who have been briefed on the scope of the legislation and advised on the practical procedures. Abatement notices will be served, for practical reasons, by officers of the Environmental Health Department on behalf of the Health and Social Services Committee.

It is likely during the initial phases of introducing the Law that officers may receive an increased number of complaints that "test out" the various types of nuisance and the limits of this legislation. Where necessary, further advice will be sought from the Law Officers Department to help determine those issues that are better dealt with under the customary law on public nuisances and those that are a matter for civil action.

Delegation of functions

It is intended that a number of the statutory responsibilities of the Committee should be delegated to officers, within the terms of the States of Jersey Law 1966, as amended, and these are listed in an R.C. to be laid before the States.

The Health and Social Services Committee has also authorized its Environmental Health Officers for the purposes of discharging the functions of an "authorized person" under the Law.

Notwithstanding the delegated functions, it is recognized that the Chief Environmental Health Officer may wish to refer matters of a sensitive or contentious nature to the Committee and seek further guidance where the appropriate action is not clear.

Appeals procedure

The Law Officers Department has provided detailed guidance on the procedure that a person may follow if wishing to appeal against an abatement notice. This procedure is governed by the Schedule to the Law and Part 12 of the Royal Court Rules.

Appointed Day

The Health and Social Services Committee proposes, subject to the States adopting the following Act, that the Statutory Nuisances (Jersey) Law 1999 should come into force on 13th June 2000.

Explanatory Note

The purpose of this Act is to appoint 13th June 2000 as the day on which the Statutory Nuisances (Jersey) Law 1999 shall come into force.

The Law was adopted by the States on 22nd June 1999 (P.40 of 1998).

Statutory Nuisances (Jersey) Law 1999

STATUTORY NUISANCES (JERSEY) LAW 1999
(APPOINTED DAY) ACT 200-

(Promulgated on the day of 200-)

STATES OF JERSEY

The day of 200-

THE STATES, in pursuance of Article 19 of the Statutory Nuisances (Jersey) Law 1999,^[1] have made the following Act -

1. The Statutory Nuisances (Jersey) Law 1999 shall come into force on the thirteenth day of June 2000.
2. This Act may be cited as the Statutory Nuisances (Jersey) Law 1999 (Appointed Day) Act 200-.

[1] Recueil des Lois, Volume 1999, page 649.