

STATES OF JERSEY

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DRAFT HOUSING (GENERAL PROVISIONS) (AMENDMENT No. 19) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 20th May 2003
by the Housing Committee**

STATES GREFFE



Jersey

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REPORT

1. On 21st November 2000 the Housing Committee lodged *au Greffe* a 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 twenty-year rule continuous residence required by the Regulations was immediately reduced to nineteen.
- 3. On 12th February 2002, the States overwhelmingly approved a further amendment to the Regulations reducing the residence period required to eighteen 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 from eighteen years to seventeen years, at the same time rejecting an amendment to that proposal by Senator Paul Le Claire that the period be reduced immediately from eighteen years to fifteen years. Whilst the Housing Committee supported the sentiments behind Senator Le Claire’s report and proposition, it took the view at that time that based on figures from the 2001 Census the potential impact both on the local housing market, and financially on the Committee’s rebate and abatement schemes could be too great at one time.
- 5. Since that decision a gradual change has been noticeable in both the labour and housing markets. A number of employers, particularly in the Financial Services Sector, have further consolidated their operations, and there appears to have been a marked fall in demand for casual labour in the Construction industry. Partly as a result of the changing economic conditions generally, and partly because of the significant number of newly completed residential developments there are now appearing in the media adverts for apartments and houses available for rent to the local market, and an increased number of adverts for vacancies in the uncontrolled sector, both in registered lodging houses and private houses.
- 6. Since the last reduction in the residence qualifying period, by one year in November 2002, the Department’s records show that although ninety persons have submitted evidence to prove that they now met the required seventeen years continuous residence, only twenty four of those have actually taken up occupation of controlled accommodation. Of these, only one has been granted private sector Rent Rebate, and three have been accepted as eligible for the States Rental Waiting List (see Appendix 1 for details and comparisons with previous reductions).
- 7. The Committee, whilst accepting that every reduction must bring about some additional demand on the existing housing stock, is of the view that the inequities brought about by the “two-tier” system justify this further one year reduction. The Committee’s concerns, expressed in November 2002 by way of response to Senator Le Claire’s previous amendment to reduce the period down to fifteen years at one go

are, to some degree, moderated, by the above comments, but the census figures referred to at that time (see Appendix 2) still give some cause for concern. Hence the Committee's continued cautious approach in seeking only a further one year reduction at this time. Depending on market conditions, and further experience of the effect of this current reduction, the Committee intend by, at the latest, early 2004 to bring a further amendment to reduce the period to fifteen years in accordance with the States decision in November 2000 to achieve that aim.

8. This amendment has no manpower implications, and the Committee accepts that any financial implications in connection with any increase in rent subsidy provided or other cost implications will be contained within the Housing Committee's previously agreed cash limit.

**ADDITIONAL PERSONS WHO HAVE QUALIFIED AS RESULT OF
REDUCTIONS IN THE QUALIFYING PERIOD**

NO. OF YEARS RESIDENCE	DATE OF THE REDUCTION IN YEARS	TOTAL NO. OF QUALIFIERS TO 7-APR-2003	ACTUAL CONSENTS GRANTED (refer tables below)
9 YEARS	18-JAN-2001	122	64
8 YEARS	14-FEB-2002	124	52
7 YEARS	18-NOV-2002	90	25
	<u>TOTAL</u>	<u>336</u>	<u>141</u>

NO. OF YEARS RESIDENCE	NO. THAT HAVE PURCHASED IN PRIVATE SECTOR	APARTMENT	HOUSE
19 years	22	10	12
18 years	14	6	8
17 years	9	3	6
TOTAL	<u>45</u>	<u>19</u>	<u>26</u>

NO. OF YEARS RESIDENCE	NO. THAT HAVE LEASED IN PRIVATE SECTOR	NO. IN RECEIPT OF PRIVATE SECTOR RENT REBATE
19 years	41	4
18 years	37	4
17 years	15	1
TOTAL	<u>93</u>	<u>9</u>

NO. OF YEARS RESIDENCE	NO. THAT HAVE BEEN HOUSED IN STATES RENTAL ACCOMMODATION	NO. THAT HAVE BEEN ACCEPTED ON STATES RENTAL WAITING LIST
19 years	1	5
18 years	1	3

17 years	1	3
TOTAL	<u>3</u>	11

FIGURES TO SHOW THE EFFECT OF A REDUCTION IN THE QUALIFYING PERIOD THROUGH RESIDENCE BASED ON 2001 CENSUS FIGURES FOR HEADS OF HOUSEHOLD

<u>l no. of rivals eads of shold</u>
85
110
986
145
987
175
988
165

<u>Year of arrival</u>	<u>Year 2003</u>
1985	18 years
1986	17 years
1987	16 years
1988	15 years

<u>lifying eriod 003</u>	<u>Potential maximum net additional heads of household who will qualify</u>	<u>Years of arrival taken into account</u>	<u>Total heads of household who will qualify up to 31-Dec-03</u>
years	No additional	1985	110
years	145	1985 + 1986	255
years	320	1985 + 1986 + 1987	430
years	485	1985 + 1986 + 1987 + 1988	595

Explanatory Note

Regulation 1 of the Housing (General Provisions) (Jersey) Regulations 1970 provides that, for the purposes of Article 10 of the Housing (Jersey) Law 1949, the Housing Committee shall consent to a sale or transfer of land or a Lease 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 17 years immediately preceding his application.

The effect of these amending Regulations is to reduce that period to 16 years.

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



Jersey

DRAFT HOUSING (GENERAL PROVISIONS) (AMENDMENT No. 19) (JERSEY) REGULATIONS 200

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 “seventeen” there shall be substituted the word “sixteen”;
- and
- (b) in Regulation 1(2C), for the word “seventeen” there shall be substituted the word “sixteen”.

2 Citation and commencement

These Regulations may be cited as the Housing (General Provisions) (Amendment No. 19) (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, 5981, 6284, 6651, 6720, 6903, 7167, 7572, 8170, 8592, 8866, 8919, 9446, 16/2001, 54/2001, 14/2002, 135/2002 and 14/2003.*