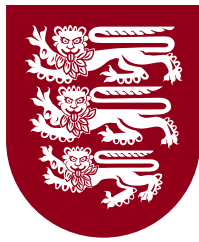


STATES OF JERSEY



Jersey

DRAFT PUBLIC HEALTH AND SAFETY (RENTED DWELLINGS) (LICENSING) (JERSEY) REGULATIONS 202- (P.40/2023): THIRD AMENDMENT

**Lodged au Greffe on 23rd October 2023
by the Environment, Housing and Infrastructure Scrutiny Panel
Earliest date for debate: 7th November 2023**

STATES GREFFE

DRAFT PUBLIC HEALTH AND SAFETY (RENTED DWELLINGS) (LICENSING)
(JERSEY) REGULATIONS 202- (P.40/2023): THIRD AMENDMENT

1 PAGE 19, REGULATION 2 –

- (1) Delete Regulation 2(5).
- (2) Insert after Regulation 2 –

“3 Application for a licence

An application for a licence complies with the requirements of the scheme if –

- (a) it is made in the manner and form provided for by the scheme;
- (b) it contains the information provided for by the scheme;
- (c) it contains further information the Minister may require of the applicant;
- (d) it is signed by the owner of the dwelling to which it relates.”,

and renumber the subsequent Regulations and cross-references accordingly.

2 PAGE 20, REGULATION 5 –

In Regulation 5 –

- (a) for paragraph (1) substitute –
 - “(1) The Minister must issue a licence in respect of a dwelling if –
 - (a) when these Regulations come into force, the dwelling is a rental dwelling; and
 - (b) before the end of 31st July 2024, in respect of the dwelling, the owner makes an application that complies with the requirements of the scheme.”;
- (b) in paragraph (3) for “received” substitute “made”.

ENVIRONMENT, HOUSING AND INFRASTRUCTURE SCRUTINY PANEL

REPORT

DEFINE WHEN A LICENCE APPLICATION IS CONSIDERED TO HAVE BEEN MADE AND ADDITIONAL REQUIREMENTS FOR APPLICATION – MUST BE MADE AND SIGNED BY DWELLING OWNER

Justice for Tenants UK state in its written submission that as an application for a licence prevents an offence from occurring, it is worth considering when an application becomes duly made. Ambiguity could lead to a landlord filling out an online application form but not providing any of the information, required documentary evidence or application fee, and then stating they are not committing an offence as they have complied with the law and made an application.¹

The purpose of this proposed amendment therefore is to remove any ambiguity surrounding the circumstances under which a licence application is considered having been made by clarifying that an application is only considered made if it complies with the requirements specified by the scheme.

Financial and staffing implications

The Panel is not aware of any financial and manpower implications associated with this proposed amendment.

¹ [Written Submission – Justice for Tenants UK – 21 September 2023](#)