

21.12.13

9 Deputy R.J. Ward of the Minister for Housing and Communities regarding foreign buy-to-let investors (OQ.254/2021):

I look forward to this answer. Will the Minister advise when the bans on foreign buy-to-let investors from purchasing homes, as agreed by the Assembly, will be put into place, and take action?

Deputy J.M. Maçon (Assistant Minister for Housing and Communities - *rapporteur*):

I think that Deputy Ward is referring to P.165/2020, and to remind Members of the wording of that proposition as amended it says: "The States are asked to decide whether they are of opinion - that, in the proposed development of the waterfront (defined as Key Opportunities Sites 1, 2 and 3 in the Southwest St. Helier Development Framework) by the States of Jersey Development Company - (a) no residential properties should be sold by the S.o.J.D.C. to foreign buy-to-let investors." Ministerial guidance to prevent foreign-owned buy-to-let investors was issued to S.o.J.D.C. in respect of the South Hill development and the waterfront development on 1st September and 30th September 2021 respectively. This is publicly available in our P.157/2021. The South Hill and waterfront development properties will be sold as flying freehold to either entitled or licensed residents as per the Control of Housing and Work (Jersey) Law 2012. Furthermore, all S.o.J.D.C. developments or future S.o.J.D.C. developments will be structured by way of flying freehold.

3.9.1 Deputy R.J. Ward:

Can I just confirm then from the Assistant Minister that all future - as he has suggested - developments in the States of Jersey Development Company, waterfront, South Hill and whatever else comes along, will not end up in the hands of foreign buy-to-let investors at any stage during their life span?

Deputy J.M. Maçon:

I can only reiterate what I have already told the Assembly, which is that the S.o.J.D.C. have been given instruction that future developments, so that is excluding waterfront or South Hill, although they have been included as part of it, that we are talking about developments other than those particular ones, the future ones, will be flying freehold and they will be subject to the provisions within the Control of Housing and Work (Jersey) Law in accordance with the report 157.

3.9.2 Senator S.Y. Mézec:

The wholesale banning of foreign buy-to-let investor properties in Jersey across the whole Island, not just the waterfront, was the one tangible policy that was found in the *Creating Better Homes* action plan. Can the Assistant Minister confirm when that will be enacted in Jersey and when it will be legally impossible for a foreign buy-to-let investor to acquire property in Jersey?

Deputy J.M. Maçon:

Can I confirm when that will be done? No, because as the Senator quite correctly identifies, it is quite a legally complex matter to deal with. What we have been able to do over the sites and the States of Jersey through their shareholder representative can do, we have done, but as for across the whole of the Island I am unable to give a timeline on that because of the legal complexities.

3.9.3 Senator S.Y. Mézec:

Is the Assistant Minister therefore confirming that the one tangible proposal in the entire *Creating Better Homes* action plan document is one which he is unable to provide a timetable for when it will

be implemented? It was the only tangible proposal in that entire document. When will that be implemented?

Deputy J.M. Maçon:

I can only reiterate what I have said, it is quite a significant piece of work that requires a significant amount of legal consideration, which at the moment we do not have an implementation date for.