

STATES OF JERSEY



DRAFT REGISTER OF NAMES AND ADDRESSES (REGISTER ENTRIES) (JERSEY) REGULATIONS 201-

**Lodged au Greffe on 5th March 2013
by the Chief Minister**

STATES GREFFE



Jersey

DRAFT REGISTER OF NAMES AND ADDRESSES (REGISTER ENTRIES) (JERSEY) REGULATIONS 201-

REPORT

These Regulations ensure that persons who have a registration card under the Control of Housing and Work (Jersey) Law 2012, or in any event are resident for 3 months or more following the introduction of the Control of Housing and Work (Jersey) Law 2012, are also entered on the Register of Names and Addresses under the Register of Names and Addresses (Jersey) Law 2012.

This closely aligns the Control of Housing and Work (Jersey) Law 2012 and the Register of Names and Addresses (Jersey) Law 2012, such that the administration of the former Law supports the administration of the latter Law.

In this way, the Register of Names and Addresses, established under the Register of Names and Addresses (Jersey) Law 2012, is able to be maintained for the purposes as outlined in the Register of Names and Addresses (Jersey) Law 2012.

Specifically, these purposes are: the provision of services to customers by a public authority under any enactment, anything done by a public authority to enable or facilitate compliance with any duty under any enactment, or anything done by a public authority in consequence of a breach of an individual of any duty under any enactment, and other purposes as specified by Regulation, and for statistical purposes.

The Regulations also specify that copy information of a register entry may be provided, in particular; where the individual making the application for copy entries is authorised by the Minister to act for the individual in relation to whom the copy entries are sought, for example, the Matron of a Nursing Home seeking to confirm the correct records in relation to residents of that Nursing Home, or has parental responsibility for the person in relation to whom the copy entry is sought. In outlining this, it should be noted that the copy entry will contain limited data with reference to name, including title, date and place of birth, date of arrival in the Island, gender, and social security number, and no further information.

Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of these draft Regulations.

Explanatory Note

These Regulations make provisions concerning entries, and applications for copies of entries, on the Register of Names and Addresses established under the Register of Names and Addresses (Jersey) Law 2012 (“Law”). It is intended that that Law will come into force by Appointed Day Act.

Regulation 1 is an interpretation provision.

Regulation 2 sets out the description of individuals in respect of whom an entry must be made on the Register. Article 2(10) of the Law requires the States to specify, by Regulations, the category, class or description of individuals in respect of whom such an entry must be made.

First the Register must include an entry relating to any person who has a registration card under the Control of Housing and Work (Jersey) Law 2012 (“CHW Law”). The CHW Law requires any person over the age of 16 who arrives in Jersey after the date that the CHW Law comes into force to apply for a registration card if the person expects to be continuously ordinarily resident in Jersey for at least 3 months. A person who has already been ordinarily resident in Jersey for at least 3 months on the date that the CHW Law comes into force is not required to apply for a registration card under that Law unless and until he or she enters into a housing transaction such as a house purchase or a contract of lease or starts a new job.

Second, to the extent not already included above, the Register must include an entry relating to any individual (including a child) who is ordinarily resident in Jersey for a continuous period of at least 3 months after the date that the CHW Law comes into force.

The information that must be recorded in respect of an individual is specified in Article 2(8) of the Law, that is, the individual’s name, address, date and place of birth, date of arrival in Jersey if not born in Jersey, gender and social security number.

Regulation 3 makes provision concerning who may make an application for a copy of an entry on the Register. Article 3 of the Law allows any individual to apply to the Minister for a copy of the entry on the Register relating to that particular individual. Article 3 also allows a person to apply for a copy of an entry relating to any individual specified in Regulations made under Article 8(3). Article 8(3) allows the States, by Regulations, to specify any individual, description or class of individual in respect of whom any individual, description or class of individual may make an application.

Accordingly, Regulation 3 provides that an application for a copy of a register entry may be made in respect of any individual for whom another person has acted within the meaning of Article 43(1) of the CHW Law by the person who has acted for the individual. Article 43 of the CHW Law sets out the circumstances in which a person may apply for a registration card for another person or notify the Minister of change of address information for another person.

Regulation 3 also provides that an application for a copy of a register entry may be made in respect of any individual under 16 by the parent of that individual or by a person who has parental responsibility for that individual.

Regulation 4 sets out the short title of the Regulations and provides that they will come into force on the same date that the Law comes into force.



Jersey

DRAFT REGISTER OF NAMES AND ADDRESSES (REGISTER ENTRIES) (JERSEY) REGULATIONS 201-

Arrangement

Regulation

1	Interpretation	7
2	Individuals who must be entered on the Register.....	7
3	Individuals who may make application for copy of register entry	7
4	Citation and commencement	8



Jersey

DRAFT REGISTER OF NAMES AND ADDRESSES (REGISTER ENTRIES) (JERSEY) REGULATIONS 201-

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Articles 2(10), 3(8) and 8 of the Register of Names and Addresses (Jersey) Law 2012¹, have made the following Regulations –

1 Interpretation

In these Regulations –

“Law” means the Register of Names and Addresses (Jersey) Law 2012²;

“CHW Law” means the Control of Housing and Work (Jersey) Law 2012³.

2 Individuals who must be entered on the Register

The description of individuals that is specified for the purposes of Article 2(10) of the Law is –

- (a) any person who has a registration card under Article 3 of the CHW Law; and
- (b) (to the extent not included in paragraph (a)), any individual who is ordinarily resident in Jersey for a continuous period of 3 months or more after the date that the CHW Law comes into force.

3 Individuals who may make application for copy of register entry

- (1) The descriptions of individuals that are specified for the purpose of Article 3(8) of the Law in respect of whom an application may be made under Article 3(1)(b) of the Law are –
 - (a) any individual for whom another person has acted within the meaning of Article 43(1) of the CHW Law; and
 - (b) any individual below the upper limit of compulsory school age by virtue of Article 2 of the Education (Jersey) Law 1999⁴.

-
- (2) An application under Article 3(1)(b) of the Law may be made in respect of an individual described in paragraph (1) by –
- (a) where paragraph (1)(a) applies, the person who has acted for the individual; and
 - (b) where paragraph (1)(b) applies, a parent of the individual or any person who has parental responsibility for the individual within the meaning of the Children (Jersey) Law 2002⁵.

4 Citation and commencement

These Regulations may be cited as the Register of Names and Addresses (Register Entries) (Jersey) Regulations 201- and shall come into force on the same day that the Register of Names and Addresses (Jersey) Law 2012⁶ comes into force.

-
- 1* *L.35/2012*
 - 2* *L.35/2012*
 - 3* *L.31/2012*
 - 4* *chapter 10.800*
 - 5* *chapter 12.200*
 - 6* *L.35/2012*