



Jersey

## **PLANNING AND BUILDING (AMENDMENT No. 5) (JERSEY) LAW 2010**

### **Arrangement**

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#### **Article**

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## **PLANNING AND BUILDING (AMENDMENT No. 5) (JERSEY) LAW 2010**

**A LAW** to amend further the Planning and Building (Jersey) Law 2002.

*Adopted by the States*

*2nd February 2010*

*Sanctioned by Order of Her Majesty in Council*

*21st July 2010*

*Registered by the Royal Court*

*6th August 2010*

**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

### **1 Interpretation**

In this Law, “principal Law” means the Planning and Building (Jersey) Law 2002<sup>1</sup>.

### **2 Article 1 amended**

In Article 1(1) of the principal Law in the definition “Island Plan” the words “in accordance with Article 3” shall be deleted.

### **3 Article 3 amended**

- (1) In the heading to Article 3 of the principal Law for the words “an Island Plan” there shall be substituted the words “a draft Island Plan”.
- (2) In Article 3 of the principal Law –
  - (a) in paragraph (1) for the words “an Island Plan” there shall be substituted the words “a draft Island Plan”;
  - (b) in paragraph (2) for the words “a revision of that Plan”, in each place that they appear, there shall be substituted the words “a draft revision of the Island Plan”;

- (c) in paragraph (3) for the words “the Island Plan or a revision of it” there shall be substituted the words “a draft Island Plan or a revision of the Island Plan”;
- (d) in paragraph (4)(a) for the words “the Island Plan” there shall be substituted the words “a draft Island Plan or a draft revision of the Island Plan”;
- (e) in paragraph (6) for the words “the Island Plan or any revision of it” there shall be substituted the words “a draft Island Plan or a draft revision of the Island Plan”.

#### **4 Article 4 amended**

- (1) For the heading to Article 4 of the principal Law there shall be substituted the heading “Form of draft Island Plan”.
- (2) In Article 4 of the principal Law, in paragraphs (1) and (5), for the words “the Island Plan” there shall be substituted the words “a draft Island Plan”.

#### **5 Article 4A inserted**

After Article 4 of the principal Law there shall be inserted the following Article –

##### **“4A Procedure for and following lodging of draft Island Plan**

- (1) A draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 12 weeks.
- (2) An amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 8 weeks.
- (3) An amendment to an amendment to a draft Island Plan cannot be debated by the States unless it has been lodged for a minimum period of 6 weeks.
- (4) Paragraph (2) or (3) does not apply to an amendment lodged by the Minister if the States agree that the amendment may be debated forthwith or on a day or at a time approved by the States.
- (5) The Minister may publicize a lodged amendment to a draft Island Plan and seek representations from the public on it.
- (6) This Article applies to a draft revision of an Island Plan as it applies to a draft Island Plan, and references in it to a draft Island Plan shall be construed accordingly.
- (7) In this Article –
  - ‘amendment’ includes (except in paragraphs (2) and (3)) an amendment to an amendment;
  - ‘draft Island Plan’ means a Plan prepared by the Minister in accordance with Article 3 and lodged by the Minister;
  - ‘lodged’ means lodged au Greffe.”

**6 Citation and commencement**

This Law may be cited as the Planning and Building (Amendment No. 5) (Jersey) Law 2010 and shall come into force on the day following the day it is registered.

**M.N. DE LA HAYE**

*Greffier of the States*

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<sup>1</sup> *chapter 22.550*