



Jersey

## RATES (AMENDMENT) (JERSEY) LAW 2016

### Arrangement

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#### Article

1	Rates (Jersey) Law 2005 amended .....	3
2	Interpretation – Article 1 amended .....	3
3	Rates List – Articles 2, 7 and 14 amended.....	4
4	Membership of Parish Assembly – Articles 23 and 30 amended .....	4
5	Assessment and Supervisory Committees – Articles 37 and 43 amended .....	5
6	Rate Appeal Board – Article 44 amended .....	7
7	Citation and commencement.....	7





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## RATES (AMENDMENT) (JERSEY) LAW 2016

A LAW to amend the Rates (Jersey) Law 2005.

<i>Adopted by the States</i>	<i>10th May 2016</i>
<i>Sanctioned by Order of Her Majesty in Council</i>	<i>12th October 2016</i>
<i>Registered by the Royal Court</i>	<i>21st October 2016</i>

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

### 1 Rates (Jersey) Law 2005 amended

The Rates (Jersey) Law 2005<sup>1</sup> (the “Rates Law”) is amended in accordance with this Law, and a reference to an Article is to the Article of that number in the Rates Law.

### 2 Interpretation – Article 1 amended

In Article 1(1) –

- (a) after the definition “attributes” there is inserted the following definition –  
“ ‘casual vacancy’ in relation to the office of Connétable means a vacancy occurring otherwise than upon retirement of a Connétable under Article 1(2) of the Connétables Law;”;
- (b) for the definition “Chairman” there is substituted the following definition –  
“ ‘Chairman’ or ‘Vice-Chairman’ shall be construed in accordance with Articles 37(3), 43(2) or 44 as the case may be;”;
- (c) after the definition “Comité des Connétables” there is inserted the following definition –  
“ ‘Connétables Law’ means the Connétables (Jersey) Law 2008<sup>2</sup>;”;
- (d) after the definition “land” there is inserted the following definition –  
“ ‘Library’ means the Jersey Library in St. Helier;”;

- (e) after the definition “occupier’s rate” there is inserted the following definition –
  - “ ‘ordinary election’ in relation to an election for Connétables shall be construed in accordance with Article 2 of the Connétables Law;”;
- (f) after the definition “Rate Appeal Board” there is inserted the following definition –
  - “ ‘Rates Amendment Law’ means the Rates (Amendment) (Jersey) Law 2016<sup>3</sup>;”.

### **3 Rates List – Articles 2, 7 and 14 amended**

- (1) In Article 2(2) –
  - (a) in sub-paragraph (c), after the words “purposes;” there is added the word “and”;
  - (b) for sub-paragraphs (d), (e) and (f) there is substituted the following sub-paragraph –
    - “(d) such other information (excluding any details of the owner or occupier) as the Supervisory Committee may direct.”.
- (2) For Article 7(1) there is substituted the following paragraph –
  - “(1) Following completion of all assessments for the rateable year in question, the Connétable of a parish shall, for 14 consecutive days, make the Rates List available for inspection –
    - (a) through the parish website; and
    - (b) at the offices of that parish during normal opening hours, and copies of all or any part of the Rates List may be taken at the offices of the parish who may charge such fee for copying as is reasonable.”.
- (3) In Article 14 –
  - (a) in paragraph (1), for the words “for inspection in the Parish Hall, in the Jersey Library in St. Helier” there are substituted the words “for inspection at the offices of that parish, at the Library”;
  - (b) in paragraph (2), for the words “Parish Hall” there are substituted the words “the offices of that parish, or at the Library and the parish or the Library (as the case may be), may charge such fee for copying as is reasonable.”.

### **4 Membership of Parish Assembly – Articles 23 and 30 amended**

- (1) In Article 23(1) for sub-paragraph (c) there is substituted the following sub-paragraph –
  - “(c) where 2 or more persons are liable to pay any rates in respect of land –
    - (i) if the person’s name appears first in any return of information required under Article 3(1) or (4), or

- (ii) if the person is, by virtue of Article 30(2) or (3), entitled to represent all the persons who are liable to pay any rates levied in respect of that land; or”.

(2) In Article 30 –

- (a) in paragraph (1), for the words “first entered in the Rates List as” there are substituted the words “treated as the person”;
- (b) in paragraph (2), after the words “rateable year” there are added the words “and until that notice has effect, the person whose name appears first in any return of information required under Article 3(1) or (4) which has been returned before the Rates List has been approved, is entitled to represent all the persons who are liable to pay any rates levied in respect of that land in all matters in which a ratepayer is entitled to representation by virtue of this Law”;
- (c) in paragraph (3), for the words “whose name is first entered in a Rates List in respect of land” there are substituted the words “who, by virtue of the notice given under paragraph (1) is to be treated as the representative,”.

**5 Assessment and Supervisory Committees – Articles 37 and 43 amended**

(1) In Article 37 –

- (a) paragraphs (5) and (6) are renumbered as paragraphs “(6)” and “(7)” respectively;
- (b) for paragraphs (3) and (4) there are substituted the following paragraphs –

“(3) The members of an Assessment Committee shall –

- (a) at the first meeting of the Assessment Committee held in each year, appoint one of their number to act as the Committee’s Chairman and the person so appointed shall serve as Chairman until 31st December of that year;
- (b) if the Committee’s Chairman is absent from a meeting of the Assessment Committee, appoint one of their number to preside at that meeting;
- (c) subject to sub-paragraph (d), if during the course of the year the Chairman’s office becomes vacant, appoint one of their number to serve as Chairman until 31st December of that year;
- (d) if on or after 1st October in a year the Chairman’s office becomes vacant, and if the Committee determines it is necessary to fill the vacancy, appoint one of their number to serve as Chairman until 31st December of that year;
- (e) at the first meeting of the Assessment Committee held after the coming into force of the Rates Amendment Law, appoint one of their number to serve as Chairman until 31st December of the year in which that Law comes into force.

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- (4) At a meeting of an Assessment Committee –
    - (a) the quorum is to be determined by the Committee but shall be at least 3 of its members;
    - (b) in the case of an equality of votes the Chairman or the person presiding has a second or casting vote; and
    - (c) a member shall not be present during the consideration of any matter relating to land in which the member is personally interested as owner, occupier, as a relative of the owner or occupier within and including the degree of relationship of first cousin, or otherwise.
  - (5) If, by virtue of paragraph (4)(c), paragraph (4)(a) cannot be complied with, the members remaining shall be taken to form a quorum.”.
  - (2) In Article 43 –
    - (a) paragraphs (3) and (4) are renumbered as paragraphs “(6)” and “(7)” respectively;
    - (b) for paragraph (2) there are substituted the following paragraphs –
      - “(2) The members of the Supervisory Committee shall –
        - (a) at the first meeting of the Supervisory Committee held following an ordinary election of Connétables, appoint one of their number to act as the Committee’s Chairman and another as the Committee’s Vice-Chairman and each person so appointed shall serve as Chairman and Vice-Chairman (as the case may be) until he or she retires on his or her office of Connétable being filled by an ordinary election or an election ordered under Article 3(2) of the Connétables Law;
        - (b) at the first meeting of the Supervisory Committee held after the coming into force of the Rates Amendment Law, appoint one of their number to act as the Committee’s Chairman and another as the Committee’s Vice-Chairman and each person so appointed shall serve as Chairman and Vice-Chairman (as the case may be) until he or she retires on his or her office of Connétable being filled by an ordinary election or an election ordered under Article 3(2) of the Connétables Law.
  - (3) At a meeting of the Supervisory Committee –
    - (a) the quorum is to be determined by the Committee but shall be at least 7 of its members;
    - (b) in the case of an equality of votes the Chairman or the Vice-Chairman if presiding, has a second or casting vote; and
    - (c) a member shall not be present during the consideration of any matter relating to land in which the member is personally interested as owner, occupier or otherwise (except as Connétable of the parish in which the land is situated).
  - (4) If at any meeting of the Supervisory Committee –
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- (a) the Chairman is absent or for any reason is unable to act, the Vice-Chairman shall preside; or
  - (b) both the Chairman and Vice Chairman are absent or for any reason are unable to act, the other members of the Committee shall appoint one of their number to preside.
- (5) If the offices of Chairman or Vice-Chairman become vacant –
- (a) other than by reason of an ordinary election or a casual vacancy occurring in the office of Connétable, the members of the Supervisory Committee shall at such meeting as the Committee determines, appoint one of their number to act as the Committee’s Chairman or Vice-Chairman (as the case may be) and the person so appointed shall serve as Chairman or Vice-Chairman until he or she retires as referred to in paragraph (2)(a);
  - (b) by reason of a casual vacancy occurring in the office of Connétable, the members of the Supervisory Committee shall at the first meeting of the Committee held following an election ordered under Article 3(2) of the Connétables Law, appoint one of their number to act as the Committee’s Chairman or Vice-Chairman (as the case may be) and the person so appointed shall serve as Chairman or Vice-Chairman until he or she retires as referred to in paragraph (2)(a).”.

**6 Rate Appeal Board – Article 44 amended**

In Article 44(6) and (7), for the words “in this Law” there are substituted the words “in this Part”.

**7 Citation and commencement**

This Law may be cited as the Rates (Amendment) (Jersey) Law 2016 and shall come into force 7 days after the day it is registered.

**DR. M. EGAN**

*Greffier of the States*

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- <sup>1</sup> *chapter 24.950*  
<sup>2</sup> *chapter 16.250*  
<sup>3</sup> *L.22/2016*