



Jersey

# **NURSING HOMES (JERSEY) LAW 1994**

## **Official Consolidated Version**

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Showing the law from 28 September 2021 to Current



Jersey

## NURSING HOMES (JERSEY) LAW 1994

### Contents

#### Article

<b>PART 1</b>	<b>4</b>
INTRODUCTORY	4
1 Interpretation .....	4
1A Meaning of “nursing home” .....	5
2 Meaning of “relative” .....	6
3 Homes to which Law applies .....	6
<b>PART 2</b>	<b>7</b>
REGISTRATION OF NURSING HOMES	7
4 Requirement of registration .....	7
5 .....	8
6 Registration conditions.....	8
7 Refusal of registration .....	8
8 Cancellation of registration .....	9
<b>PART 3</b>	<b>10</b>
PROCEDURE	10
9 Ordinary procedure for registration, etc.....	10
10 Decision of Commission .....	10
11 Urgent procedure for cancellation, etc. ....	11
12 Appeals .....	11
13 Effect of death or cancellation .....	11
14 Inspection of register.....	12
15 Orders .....	12
<b>PART 4</b>	<b>13</b>
OFFENCES	13
16 Prohibition on holding out premises as homes.....	13
17 Liability of officers of body corporate; accessories and abettors, etc. ....	13
18 Defences .....	14

<b>PART 5</b>	<b>14</b>
<hr/>	
MISCELLANEOUS AND SUPPLEMENTAL	14
19      Inspection of homes and visiting of patients .....	14
20      Service of documents .....	15
21      .....	15
22      Citation .....	15
<b>ENDNOTES</b>	<b>16</b>
<hr/>	
Table of Legislation History.....	16
Table of Renumbered Provisions .....	17
Table of Endnote References.....	17



Jersey

## NURSING HOMES (JERSEY) LAW 1994<sup>1</sup>

A **LAW** to make new provision for the registration and regulation of nursing homes and for connected purposes<sup>2</sup>

Commencement [[see endnotes](#)]

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### PART 1<sup>3</sup>

#### INTRODUCTORY

#### 1 Interpretation

(1) In this Law –

“certified” in relation to a midwife, means a person authorized to exercise the profession of midwife in Jersey under the Loi (1922) sur la santé publique (Sage-Femmes);

“Commission” means the Health and Social Care Commission established by Article 35 of the [Regulation of Care \(Jersey\) Law 2014](#);

“maternity home” has the meaning given by Article 1A(1)(b);

“mental disorder” has the meaning given by Article 1 of the [Mental Health \(Jersey\) Law 2016](#);

“mental nursing home” means any premises used or intended to be used for the reception of, and the provision of nursing or other medical treatment (including care, habilitation or rehabilitation under medical supervision) for, one or more mentally disordered persons, (meaning persons suffering, or appearing to be suffering, from mental disorder) whether exclusively or in common with other persons;

“notice” means a notice in writing;

“nursing home” has the meaning given by Article 1A;

“prescribed” means prescribed by Order of the Chief Minister;

“registered medical practitioner” has the same meaning as in the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#);

“relative” has the meaning given by Article 2.<sup>4</sup>

- (2) In this Law, any reference to carrying out a termination of pregnancy includes administering any drug for the purpose of inducing a termination.<sup>5</sup>

### 1A Meaning of “nursing home”<sup>6</sup>

- (1) In this Law “nursing home” means any premises, not being a mental nursing home, which are used or intended to be used –
- (a) for the reception of, and the provision of nursing for, persons suffering from any sickness, injury or infirmity; or
  - (b) for the reception of pregnant women or of women immediately after childbirth (a “maternity home”); or
  - (c) for the provision of all or any of the services specified in paragraph (3).
- (2) However “nursing home” does not include –
- (a) any sanatorium provided at a school or educational establishment and used or intended to be used solely by persons in attendance at, or members of the staff of, that school or establishment or members of their families;
  - (b) any first aid or treatment room provided at a factory, office, shop premises or at a sports ground, show ground or place of public entertainment;
  - (c) any premises used or intended to be used wholly or mainly –
    - (i) for the purpose of consultations with patients by a registered medical practitioner,
    - (ii) for the purpose of treating patients by a registered dentist within the meaning of Article 1 of the [Dentistry \(Jersey\) Law 2015](#) or a chiropodist or podiatrist registered under the [Health Care \(Registration\) \(Jersey\) Law 1995](#), or
    - (iii) for the provision of occupational health facilities, unless they are used or intended to be used for the provision of any of the services specified in paragraph (3), not being premises prescribed under subparagraph (e);
  - (d) any premises used or intended to be used wholly or mainly as a private dwelling;
  - (e) any other premises which may be prescribed for the purposes of this paragraph.
- (3) The services mentioned in paragraph (1)(c) and paragraph (2)(c) are –
- (a) the carrying out of surgical procedures under anaesthesia;
  - (b) the carrying out of terminations of pregnancy;
  - (c) endoscopy;
  - (d) haemodialysis or peritoneal dialysis;
  - (e) treatment by laser and diagnosis or treatment by radiation, including X-ray; and

- (f) any other technique of medicine or surgery (including cosmetic surgery) as to which the Commission is satisfied that its use may create a hazard for persons treated by means of it or for the staff of any premises where the technique is used, and which is prescribed for the purposes of this paragraph.<sup>7</sup>

## 2 Meaning of “relative”

- (1) In this Law “relative” means any of the following –
  - (a) husband or wife or civil partner;
  - (b) son or daughter;
  - (c) father or mother;
  - (d) brother or sister;
  - (e) grandparent or other ascendant;
  - (f) grandchild or other descendant;
  - (g) uncle or aunt;
  - (h) nephew or niece.<sup>8</sup>
- (2) In deducing any relationship for the purposes of paragraph (1) –
  - (a) any relationship by marriage or civil partnership shall be treated as a relationship by consanguinity, any relationship of the half-blood as a relationship of the whole blood, and the stepchild of any person as his or her child; and
  - (b) an illegitimate person shall be treated as the legitimate child of the child’s mother and reputed father.<sup>9</sup>
- (3) In this Article “husband”, “wife” and “civil partner” include a person who is living with a person carrying on or intending to carry on a residential care home as that person’s husband, wife or civil partner, respectively, and who has been so living for a period of not less than 6 months.<sup>10</sup>
- (4) <sup>11</sup>

## 3 Homes to which Law applies<sup>12</sup>

- (1) This Law applies to any nursing home.
- (2) This Law does not apply to –
  - (a) any hospital maintained or controlled by the States or any administration of the States;
  - (b) any premises used for the purposes of a regulated activity within the meaning of Article 2 of the [Regulation of Care \(Jersey\) Law 2014](#).

**PART 2**<sup>13</sup>

## REGISTRATION OF NURSING HOMES

**4 Requirement of registration**

- (1) The Commission shall maintain a register of every nursing home.<sup>14</sup>
- (2) Any person who carries on a nursing home without being registered under this law shall be guilty of an offence and liable to a fine.<sup>15</sup>
- (3) <sup>16</sup>
- (4) Where the person carrying on or intending to carry on a nursing home is not the person who is or is intended to be in charge of the premises, both of those persons are to be treated as carrying on or intending to carry on the home, and accordingly as requiring to be registered under this Law.<sup>17</sup>
- (5) An application for registration under this Law –
  - (a) shall be made to the Commission in such form as may be prescribed;
  - (b) shall be accompanied by a fee of such amount as may be prescribed; and
  - (c)
  - (d) shall state –
    - (i) whether or not it is proposed to receive in the home pregnant women or women immediately after childbirth, and
    - (ii) whether or not it is proposed to carry out terminations of pregnancy in the home.<sup>18</sup>
- (6) Subject to Article 7, the Commission shall, on receiving an application under paragraph (5), register the applicant in respect of the home named in the application, and shall issue to the applicant a certificate of registration.<sup>19</sup>
- (7) <sup>20</sup>
- (8) Where a person is registered in pursuance of an application stating that it is proposed to receive in the home pregnant women or women immediately after childbirth or that it is proposed to carry out terminations of pregnancy in the home –
  - (a) that fact shall be specified in the certificate of registration; and
  - (b) the particulars of the registration shall be entered by the Commission in a separate part of the register of nursing homes.<sup>21</sup>
- (9) The certificate of registration issued under this Article shall be kept affixed in a conspicuous place in the home, and if default is made in complying with this paragraph, the person carrying on the home shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.<sup>22</sup>
- (10) The Commission may issue a duplicate certificate of registration in such circumstances, and on payment of such fee, as may be prescribed.<sup>23</sup>

5 24

## 6 Registration conditions

- (1) It shall be a condition of the registration of any person under this Law that the number of persons kept at any one time in the home (excluding persons carrying on or employed at the home and their relatives) does not exceed such number as may be specified in the certificate of registration.<sup>25</sup>
- (2) Without prejudice to paragraph (1), any such registration may be effected subject to such conditions as the Commission may consider appropriate –
  - (a) for regulating the age, sex and other category of persons who may be received in the home in question; and
  - (b) for restricting the number of persons who may be accommodated in any particular room or rooms in the home,and any condition imposed by virtue of sub-paragraphs (a) and (b) shall be specified in the certificate of registration.<sup>26</sup>
- (3) The registration of any person in respect of a nursing home in which it is proposed to carry out terminations of pregnancy may be effected subject to such conditions as the Commission may consider appropriate.<sup>27</sup>
- (3A)<sup>28</sup>
- (3B)<sup>29</sup>
- (4) The Commission may from time to time –
  - (a) vary or remove any condition for the time being in force in respect of a home by virtue of this Article, or
  - (b) impose an additional condition,either on the application of a person registered in respect of it or without such an application.<sup>30</sup>
- (5) If any condition for the time being in force in respect of a home by virtue of this Article is not complied with, the person registered in respect of that home or any person carrying on the home or both of them shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.<sup>31</sup>

## 7 Refusal of registration

- (1) The Commission may refuse to register an applicant under this Law if the Commission is satisfied –
  - (a) that the applicant, or any person employed or proposed to be employed by the applicant at the home, is not a fit person (whether by reason of age or otherwise) to carry on or be employed at a nursing home;
  - (b) that, for reasons concerned with situation, construction, state of repair, accommodation, staffing or equipment (but subject to the provisions of any Order under Article 15(1) or (2)(b)), the home is not, or any premises used in connection with the home are not, fit to be used for a nursing home;



- (c) that the home is, or any premises used in connection with the home are, used, or proposed to be used, for purposes which are in any way improper or undesirable in the case of a nursing home;
  - (d) that the way in which it is intended to carry on the home is such as not to provide services or facilities reasonably required;
  - (e) that the home is not, or will not be, in the charge of a person who is a person who has the qualifications, skill, knowledge or experience necessary to be in charge of a nursing home; or
  - (f) that the following condition is not, or will not be, fulfilled in relation to the home, namely that such number of nurses possessing such qualifications, and in the case of a maternity home, such number of certified midwives, as may be specified in a notice served by the Commission on the person carrying on or proposing to carry on the home are on duty in the home at such times as may be so specified.<sup>32</sup>
- (2) <sup>33</sup>

## 8 Cancellation of registration

- (1) The Commission may at any time cancel the registration of a person under this Law –
- (a) on any ground which would entitle the Commission to refuse an application for the registration of that person in respect of that home;
  - (b) on the ground that that person has been convicted of an offence against this Law, or that any other person has been convicted of such an offence in respect of that home;
  - (c) on the ground that any condition for the time being in force in respect of the home by virtue of this Law has not been complied with;
  - (d) on the ground that that person has been convicted of an offence against an Order made under Article 15;
  - (e) on the ground that the annual fee in respect of the home has not been paid on or before the due date; or
  - (f) at the request of that person.<sup>34</sup>
- (2) Where an Order under Article 15(1) or (2)(b) or has come into force with respect to any nursing home since the date of registration of any person, the registration may be cancelled on the ground specified in Article 7(1)(b) by reason that the home does not comply with any standard specified in that Order, notwithstanding that the construction, accommodation or equipment of the home or the staffing of the home, as the case may be, has not changed since the date of registration.<sup>35</sup>

**PART 3<sup>36</sup>**

## PROCEDURE

**9 Ordinary procedure for registration, etc.**

- (1) Where –
  - (a) a person applies for registration under this Law; and
  - (b) the Commission proposes to grant the person's application,  
the Commission shall give him or her notice of the Commission's proposal and of the conditions subject to which the Commission proposes to grant his or her application.<sup>37</sup>
- (2) The Commission shall give an applicant notice of a proposal to refuse the applicant's application.<sup>38</sup>
- (3) Except where it applies to the Bailiff under Article 11, the Commission shall give any person registered under this Law notice of a proposal –
  - (a) to cancel the registration;
  - (b) to vary any condition of such registration; or
  - (c) to impose any additional condition.<sup>39</sup>
- (4) A notice under this Article shall –
  - (a) give the Commission's reasons for the Commission's proposal; and
  - (b) state that within such period as may be specified in the notice (not being less than 21 days beginning with the date of service of the notice) any person on whom it is served may make objections or representations in writing to the Commission concerning the proposal.<sup>40</sup>
- (5) In relation to any proposal mentioned in paragraph (1), (2) or (3) the Commission –
  - (a) shall not make a decision on the proposal before the expiration of the period specified under paragraph (4)(b); and
  - (b) shall before making such a decision consider any objections or representations made in accordance with the notice.<sup>41</sup>

**10 Decision of Commission<sup>42</sup>**

- (1) If the Commission decides to adopt a proposal mentioned in paragraph (1), (2) or (3) of Article 9, it shall serve notice of its decision on any person on whom the Commission was required to serve notice of the proposal.<sup>43</sup>
- (2) A notice under this Article shall include an explanation of the right of appeal conferred by Article 12.
- (3) A decision of the Commission, other than a decision –
  - (a) to grant an application for registration subject only to conditions agreed between the applicant and the Commission; or
  - (b) to refuse an application for registration,  
shall not take effect –

- (i) if no appeal is brought, until the expiration of the period of 28 days referred to in Article 12(2); and
- (ii) if an appeal is brought, until it is determined or abandoned.<sup>44</sup>

## 11 Urgent procedure for cancellation, etc.

- (1) The Commission may apply to the Bailiff *ex parte* for a provisional order –
  - (a) cancelling the registration of a person under this Law;
  - (b) varying any condition of such registration; or
  - (c) imposing an additional condition.<sup>45</sup>
- (2) If upon an application under paragraph (1) it appears to the Bailiff that there is *prima facie* evidence that there will be serious risk to the life, health or well being of any person resident, or as the case may be, a patient, in the home unless an order is made, the Bailiff may make a provisional order in accordance with the application of the Commission.<sup>46</sup>
- (3) An application under paragraph (1) shall be supported by an affidavit stating the reasons for the Commission's application.<sup>47</sup>
- (4) As soon as practicable after the making of a provisional order under this Article –
  - (a) notice of the making of the order and its terms; and
  - (b) a copy of the affidavit which supported the application for the order,shall be served upon any person registered in respect of the home concerned.
- (5) A provisional order under this Article shall take effect upon service in accordance with paragraph (4).
- (6) The Commission shall, as soon as may be after the service of a provisional order, summons the person served to appear before the Royal Court to witness the confirmation of the provisional order and the Court may confirm, vary or cancel the provisional order or make such other order as it thinks fit in the interests of any person resident, or as the case may be, any patient, in the home concerned.<sup>48</sup>

## 12 Appeals

- (1) An appeal against a decision of the Commission under this Law shall lie to the Royal Court.<sup>49</sup>
- (2) No appeal against a decision of the Commission may be brought by a person more than 28 days after service on him or her of notice of the decision.<sup>50</sup>
- (3) On an appeal against a decision of the Commission the Court may confirm the decision or direct that it shall not have effect.<sup>51</sup>

## 13 Effect of death or cancellation

- (1) Where –
  - (a) one person only is registered under this in respect of a nursing home to which this Law applies; and

(b) that person dies,

the person's executor, administrator, surviving spouse or surviving civil partner or any other relative of the person may for a period not exceeding 4 weeks from his or her death, or such longer period as the Commission may sanction, carry on the home without being registered in respect of it.<sup>52</sup>

(2) <sup>53</sup>

(3) <sup>54</sup>

(4) <sup>55</sup>

(5) <sup>56</sup>

(6) <sup>57</sup>

#### **14 Inspection of register<sup>58</sup>**

The register kept by the Commission for the purposes of this Law shall be available for inspection at all reasonable times, and any person inspecting the register shall be entitled to make copies of entries in the register on payment of such fee as may be prescribed.<sup>59</sup>

#### **15 Orders**

- (1) The Chief Minister may make Orders specifying standards of construction, accommodation and equipment which are to be complied with by any nursing home.<sup>60</sup>
- (2) The Chief Minister may make Orders as to the conduct of nursing homes, and in particular –
  - (a) as to the facilities and services to be provided in such homes;
  - (b) as to the numbers and qualifications of staff to be employed in such homes;
  - (c) as to the numbers of suitably qualified and competent staff to be on duty in such homes;
  - (d) with respect to entry into and the inspection of premises used or reasonably believed to be used as a nursing home, and the exercise on behalf of the Commission of the powers conferred by Article 19;
  - (e)
  - (f) with respect to the keeping of records and notices in respect of persons received into such homes;
  - (g) with respect to the notification of events occurring in such homes;
  - (h) as to the giving of notice by a person of a description specified in the Order of periods during which any person of a description so specified proposes to be absent from a nursing home and as to the information to be supplied in such a notice;
  - (i) as to any information required to be provided to the Commission in respect of the conduct of such homes;
  - (j)

- (k) providing for the making of adequate arrangements for the running of a nursing home during a period when the person in charge of it is absent from it;
  - (l) requiring a notice stating the effect of any condition imposed by virtue of Article 6(2)(b) to be displayed in any room to which the condition relates.<sup>61</sup>
- (3) The Chief Minister may make Orders as to registration under this Law, and in particular –
- (a) requiring persons registered under this Law to pay an annual fee;
  - (b) specifying when the fee is to be paid;
  - (c) as to the form of registers to be kept for the purposes of this Law and the particulars to be contained in them; and
  - (d) as to the information to be supplied on an application for registration.<sup>62</sup>
- (4) An Order under this Article may provide that a contravention of or failure to comply with any specified provision thereof shall be an offence and that a person guilty of such an offence shall be liable to a fine up to level 3 on the standard scale.<sup>63</sup>
- (5) <sup>64</sup>

## **PART 4<sup>65</sup>**

### **OFFENCES**

#### **16 Prohibition on holding out premises as homes**

- (1) A person who –
- (a) applies any name to premises in Jersey; or
  - (b) in any way describes such premises or holds such premises out,
- so as to indicate, or so as reasonably to be understood to indicate, that the premises are a nursing home shall be guilty of an offence unless registration in respect of the home has been effected under this Law.<sup>66</sup>
- (2) A person guilty of an offence under this Article shall be liable to a fine of level 3 on the standard scale.<sup>67</sup>

#### **17 Liability of officers of body corporate; accessories and abettors, etc.**

- (1) Where an offence under this Law or any Order made under it which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he or she as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) Without prejudice to paragraph (1), any person who knowingly and wilfully aids, abets, counsels, causes, procures or commands the commission of any offence

under this Law or any Order made under it shall be liable to be dealt with, tried and punished as a principal offender.

## **18 Defences**

- (1) In any proceedings for an offence under this Law, subject to paragraph (2), it shall be a defence for the person charged to prove –
  - (a) that the commission of the offence was due to a mistake or to reliance on information supplied to him or her or to the act or default of another person, an accident or some other cause beyond his or her control; and
  - (b) that he or she took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or herself or any person under his or her control.
- (2) If in any such case the defence provided by paragraph (1) involves the allegation that the commission of the offence was due to the act or default of another person or to reliance on information supplied by another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period ending 7 clear days before the hearing, he or she has served on the Centenier who instituted proceedings or, if the case is before the Royal Court, the Attorney General, a notice in writing giving such information identifying or assisting in the identification of that other person as was then in his or her possession.<sup>68</sup>

## **PART 5<sup>69</sup>**

### **MISCELLANEOUS AND SUPPLEMENTAL**

## **19 Inspection of homes and visiting of patients**

- (1) Subject to the provisions of this Article, any person authorized in that behalf by the Commission may at any time, after producing, if asked to do so, some duly authenticated document showing that he or she is so authorized, enter and inspect any premises which are used, or which that person has reasonable cause to believe to be used, for the purposes of a nursing home.<sup>70</sup>
- (2) A person authorized under paragraph (1) to inspect a nursing home may visit and interview in private any person who is a patient, or is residing, in the home –
  - (a) for the purpose of investigating any complaint as to the person's treatment made by or on behalf of the patient or resident; or
  - (b) in any case where the person so authorized has reasonable cause to believe that the patient or resident is not receiving proper care,and where the person so authorized is a registered medical practitioner, he or she may examine the patient or resident in private, and may require the production of, and inspect, any medical records relating to the patient's or resident's treatment in that home.<sup>71</sup>
- (3) Any person who refuses to allow the inspection of any premises, or without reasonable cause refuses to allow the visiting, interviewing or examination of any person by a person authorized in that behalf under this Article or to produce for the inspection of any person so authorized any document or record the production of

which is duly required by him or her, or otherwise obstructs any such person in the exercise of his or her powers under this Article, shall be guilty of an offence.<sup>72</sup>

- (4) Without prejudice to the generality of paragraph (3), any person who insists on being present when requested to withdraw by a person authorized as aforesaid to interview or examine a person in private shall be guilty of an offence.
- (5) A person guilty of an offence under this Article shall be liable to a fine of level 3 on the standard scale.<sup>73</sup>
- (6) <sup>74</sup>

## **20 Service of documents**

Any notice or other document required under this Law to be served on a person carrying on, or intending to carry on, a nursing home, may be served on him or her by delivering it personally to him or her or by post and shall be deemed to be properly addressed to the person if it is addressed to his or her usual place of residence or last known place of business or to the home in question.<sup>75</sup>

## **21** <sup>76</sup>

## **22 Citation<sup>77</sup>**

This Law may be cited as the Nursing Homes (Jersey) Law 1994.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Nursing and Residential Homes (Jersey) Law 1994	<a href="#">L.12/1994</a>	1 April 1995 ( <a href="#">R&amp;O.8811</a> )	
Termination of Pregnancy (Jersey) Law 1997	<a href="#">L.4/1997</a>	31 January 1997	
Education (Jersey) Law 1999	<a href="#">L.27/1999</a>	1 March 2000 ( <a href="#">R&amp;O.9484</a> )	<a href="#">P.30/1999</a>
Nursing and Residential Homes (Amendment) (Jersey) Law 2003	<a href="#">L.3/2003</a>	10 January 2003	<a href="#">P.140/2002</a>
Nursing and Residential Homes (Amendment No. 2) (Jersey) Law 2004	<a href="#">L.30/2004</a>	26 November 2004	<a href="#">P.132/2004</a>
States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005	<a href="#">R&amp;O.45/2005</a>	9 December 2005	<a href="#">P.59/2005</a>
Civil Partnership (Jersey) Law 2012	<a href="#">L.4/2012</a>	2 April 2012	<a href="#">P.85/2011</a>
Connétables (Miscellaneous Provisions – Consequential Amendments) (Jersey) Regulations 2014	<a href="#">R&amp;O.81/2014</a>	1 August 2014 ( <a href="#">R&amp;O.80/2014</a> )	<a href="#">P.78/2014</a>
Dentistry (Jersey) Law 2015	<a href="#">L.17/2015</a>	24 February 2016 ( <a href="#">R&amp;O.22/2016</a> )	<a href="#">P.89/2015</a>
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	<a href="#">L.1/2016</a>	20 September 2016 ( <a href="#">R&amp;O.98/2016</a> )	<a href="#">P.87/2015</a>
Mental Health and Capacity (Consequential Amendment and Transitional Provision) (Jersey) Regulations 2018	<a href="#">R&amp;O.49/2018</a>	1 October 2018 ( <a href="#">R&amp;O.51/2018</a> )	<a href="#">P.48/2018</a>
Regulation of Care (Regulated Activities) (Jersey) Regulations 2018	<a href="#">R&amp;O.118/2018</a>	1 January 2019	<a href="#">P.126/2018</a>
Regulation of Care (Transfer of Functions) (Jersey) Regulations 2018	<a href="#">R&amp;O.120/2018</a>	1 January 2019	<a href="#">P.128/2018</a>
States of Jersey (Transfer of Functions – Regulation of Care) (Jersey) Order 2018	<a href="#">R&amp;O.141/2018</a>	1 January 2019	
Legislation (Jersey) Law 2021	<a href="#">L.8/2021</a> ( <a href="#">R&amp;O.112/2021</a> )	28 September 2021	<a href="#">P.26/2021</a>

◦Projets available at [www.statesassembly.gov.je](http://www.statesassembly.gov.je)



**Table of Renumbered Provisions**

<b>Original</b>	<b>Current</b>
1(1A)	1(2)
(2), (3), (4)	spent, omitted from this revised edition
3(6)(aa)	3(6)(b)
(b)	(c)
(c)	(d)
(d)	(e)
(e)	(f)
6(2A)	6(3)
(3)	(4)
(4)	(5)
15(2)(j)	15(2)(i)
(k)	(j)
(l)	(k)
(m)	(l)
FIRST SCHEDULE	spent, omitted from this revised edition
7	spent, omitted from this revised edition
8	7
SECOND SCHEDULE	spent, omitted from this revised edition
THIRD SCHEDULE	spent, omitted from this revised edition

**Table of Endnote References**

- <sup>1</sup> *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government. Short title amended by R&O.118/2018*
- <sup>2</sup> *Long Title*
- <sup>3</sup> *Part 1 heading*
- <sup>4</sup> *Article 1(1)*
- <sup>5</sup> *Article 1(2)*
- <sup>6</sup> *Article 1A*
- <sup>7</sup> *Article 1A*
- <sup>8</sup> *Article 2(1)*
- <sup>9</sup> *Article 2(2)*
- <sup>10</sup> *Article 2(3)*
- <sup>11</sup> *Article 2(4)*
- <sup>12</sup> *Article 3*
- <sup>13</sup> *Part 2 heading*
- <sup>14</sup> *Article 4(1)*
- <sup>15</sup> *Article 4(2)*
- <sup>16</sup> *Article 4(3)*
- <sup>17</sup> *Article 4(4)*

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- <sup>18</sup> Article 4(5) amended by L.4/1997, R&O.49/2018, R&O.120/2018
- <sup>19</sup> Article 4(6) amended by R&O.120/2018
- <sup>20</sup> Article 4(7) repealed by R&O.118/2018
- <sup>21</sup> Article 4(8) amended by L.4/1997, R&O.120/2018
- <sup>22</sup> Article 4(9) amended by L.3/2003, R&O.118/2018
- <sup>23</sup> Article 4(10) amended by R&O.120/2018
- <sup>24</sup> Article 5 repealed by R&O.118/2018
- <sup>25</sup> Article 6(1) amended by R&O.118/2018
- <sup>26</sup> Article 6(2) amended by L.30/2004, R&O.120/2018
- <sup>27</sup> Article 6(3) inserted by L.4/1997, amended by R&O.118/2018, R&O.120/2018
- <sup>28</sup> Article 6(3A) inserted by L.30/2004, deleted by R&O.118/2018
- <sup>29</sup> Article 6(3B) inserted by L.30/2004, deleted by R&O.118/2018
- <sup>30</sup> Article 6(4) amended by R&O.120/2018
- <sup>31</sup> Article 6(5) amended by L.3/2003
- <sup>32</sup> Article 7(1) amended by R&O.118/2018, R&O.120/2018
- <sup>33</sup> Article 7(2) deleted by R&O.118/2018
- <sup>34</sup> Article 8(1) amended by R&O.118/2018, R&O.120/2018
- <sup>35</sup> Article 8(2) amended by R&O.118/2018
- <sup>36</sup> Part 3 heading inserted by R&O.118/2018
- <sup>37</sup> Article 9(1) amended by R&O.118/2018, R&O.120/2018
- <sup>38</sup> Article 9(2) amended by R&O.120/2018
- <sup>39</sup> Article 9(3) amended by R&O.118/2018, R&O.120/2018
- <sup>40</sup> Article 9(4) amended by R&O.120/2018
- <sup>41</sup> Article 9(5) amended by R&O.120/2018
- <sup>42</sup> Article 10 heading amended by R&O.120/2018
- <sup>43</sup> Article 10(1) amended by R&O.120/2018
- <sup>44</sup> Article 10(3) amended by R&O.120/2018
- <sup>45</sup> Article 11(1) amended by R&O.118/2018, R&O.120/2018
- <sup>46</sup> Article 11(2) amended by R&O.120/2018
- <sup>47</sup> Article 11(3) amended by R&O.120/2018
- <sup>48</sup> Article 11(6) amended by R&O.120/2018
- <sup>49</sup> Article 12(1) amended by R&O.120/2018
- <sup>50</sup> Article 12(2) amended by R&O.120/2018
- <sup>51</sup> Article 12(3) amended by R&O.120/2018
- <sup>52</sup> Article 13(1) amended by L.4/2012, R&O.118/2018, R&O.120/2018
- <sup>53</sup> Article 13(2) deleted by R&O.118/2018
- <sup>54</sup> Article 13(3) deleted by R&O.118/2018
- <sup>55</sup> Article 13(4) deleted by R&O.118/2018
- <sup>56</sup> Article 13(5) deleted by R&O.118/2018
- <sup>57</sup> Article 13(6) deleted by R&O.118/2018
- <sup>58</sup> Article 14 heading amended by R&O.118/2018
- <sup>59</sup> Article 14 amended by R&O.118/2018, R&O.120/2018
- <sup>60</sup> Article 15(1) amended by R&O.118/2018, R&O.141/2018
- <sup>61</sup> Article 15(2) amended by L.30/2004, R&O.49/2018, R&O.118/2018, R&O.120/2018, R&O.141/2018
- <sup>62</sup> Article 15(3) amended by R&O.141/2018
- <sup>63</sup> Article 15(4) amended by L.3/2003, L.1/2016
- <sup>64</sup> Article 15(5) deleted by L.8/2021
- <sup>65</sup> Part 4 heading inserted by R&O.118/2018
- <sup>66</sup> Article 16(1) substituted by R&O.118/2018
- <sup>67</sup> Article 16(2) amended by L.3/2003, L.1/2016

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- <sup>68</sup> *Article 18(2)* amended by R&O.81/2014
- <sup>69</sup> *Part 5 heading* inserted by R&O.118/2018
- <sup>70</sup> *Article 19(1)* amended by R&O.118/2018, R&O.120/2018
- <sup>71</sup> *Article 19(2)* amended by R&O.118/2018
- <sup>72</sup> *Article 19(3)* amended by R&O.49/2018, R&O.118/2018
- <sup>73</sup> *Article 19(5)* amended by L.3/2003, L.1/2016
- <sup>74</sup> *Article 19(6)* deleted by R&O.118/2018
- <sup>75</sup> *Article 20* amended by R&O.118/2018
- <sup>76</sup> *Article 21* repealed by R&O.118/2018
- <sup>77</sup> *Article 22* amended by R&O.118/2018