



Jersey

LODGING HOUSES (REGISTRATION) (JERSEY) LAW 1962

Official Consolidated Version

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LODGING HOUSES (REGISTRATION) (JERSEY) LAW 1962¹

A **LAW** to provide for the registration of lodging houses and for matters incidental thereto

Commencement [[see endnotes](#)]

1 Interpretation²

In this Law, unless the context otherwise requires –

“lodging house” means any premises on which is conducted the business of providing lodging with or without board, for reward, other than premises registered under the [Tourism \(Jersey\) Law 1948](#);

“Minister” means the Minister for Housing;

“prescribed” means prescribed by Order made under this Law;

“register” means register under this Law;

“tourist” means a person who visits Jersey for the purpose only of recreation.

2 Duty to register

(1) Subject to the provisions of this Law, no person shall keep a lodging house unless the lodging house is a registered lodging house:

Provided that nothing in this Law shall require the registration of –

(a) any educational establishment; or

(b) any premises in which lodging for reward is provided for less than the prescribed number of persons.

(2) If any person contravenes paragraph (1) the person shall for each offence be liable to a fine.³

3 Exemptions from duty to register

The Minister may, in his or her absolute discretion –

- (a) grant exemptions from the provisions of Article 2;
- (b) attach to any exemption such conditions as the Minister thinks fit;
- (c) vary any condition attached to an exemption at any time; or
- (d) withdraw any exemption.

4 Duration of registration

Every registration shall expire on the last day of February next following the date on which it takes effect but shall be renewable annually in manner provided by this Law.

5 Applications

- (1) An application for registration or for renewal of the registration of a lodging house shall be made in such form and shall contain such particulars as the Minister may require and each such application shall be accompanied by the prescribed fee.⁴
- (2) Every application for renewal of registration shall be made in the month of December and, if the application is not made in that month, the Minister may refuse to renew the registration.

6 Registration and renewal

- (1) Where an application is duly made to the Minister under Article 5, the Minister, in the case of an application for registration, shall, and, in the case of an application for renewal of registration, may, cause the lodging house to which the application relates to be inspected by an officer in an administration of the States for which the Minister is assigned responsibility.
- (2) The Minister shall refuse to register the lodging house where any prescribed requirements in relation thereto are not satisfied and may, in any case, refuse the application if the Minister is of the opinion that –
 - (a) the applicant is not a fit person to keep a lodging house;
 - (b) the use of the premises as a lodging house would be likely to cause annoyance to persons residing in the neighbourhood;
 - (c) the use of the premises as a lodging house is not in the public interest.
- (3) Notwithstanding anything in the foregoing provisions of this Article, the Minister may attach such conditions as he or she thinks fit to the registration or renewal of registration of any lodging house and shall, in particular, specify in relation to any room in the lodging house, the maximum number of persons by whom it may be used as sleeping accommodation at any one time.

7 Contravention of registration conditions⁵

Any keeper of a registered lodging house who contravenes or fails to comply with –

- (a) a condition attached to a registration or a renewal of a registration of a lodging house under Article 6(3); or
- (b) any condition attached to an exemption granted under Article 3,

shall for each offence be liable to a fine of level 3 on the standard scale.

8 Registration certificates

- (1) Where the Minister registers or renews the registration of any lodging house, the Minister shall issue a registration certificate to the keeper of the lodging house, free of charge.
- (2) Every registration certificate shall contain a sufficient description of the lodging house to which it relates, the name of the keeper of the lodging house, the date on which the registration or renewal of registration expires and such other matters as the Minister may think fit.

9 Production, delivery and display of registration certificates

- (1) The keeper of a registered lodging house shall –
 - (a) when required by or on behalf of the Minister so to do, produce or deliver the keeper's registration certificate to the Minister or to an officer in an administration of the States for which the Minister is assigned responsibility who is authorized in that behalf;
 - (b) deliver the keeper's registration certificate to the Minister immediately on the expiration of the period to which it relates;
 - (c) keep the keeper's registration certificate displayed in a prominent position in the lodging house.
- (2) If the keeper of a registered lodging house fails to comply with the provisions of this Article, the keeper shall for each offence be liable to a fine of level 2 on the standard scale.⁶

10 Replacement of registration certificates

Where the keeper of a registered lodging house satisfies the Minister that the keeper registration certificate has been accidentally lost, destroyed or defaced, the Minister may issue a new certificate to the keeper of the lodging house on payment by the keeper of the prescribed fee.⁷

11 Cancellation of registration

Subject to the provisions of this Law, the Minister may at any time cancel the registration of a lodging house on any ground on which the registration of the premises as a lodging house might be refused or on the ground that any person has been convicted of an offence against the provisions of this Law or of any Order made thereunder in respect of the lodging house.

12 Procedure and right of appeal on refusal or cancellation of registration

- (1) The Minister shall not refuse an application for the registration or renewal of the registration of any lodging house, or cancel any registration, unless the Minister has given to the keeper of the lodging house not less than 7 days' notice in writing of his

or her intention to do so and the reasons for so doing, and every such notice shall contain an intimation that, if within 7 days after the receipt of the notice, the keeper of the lodging house informs the Minister in writing that the keeper desires so to do, the Minister will, before refusing the application or cancelling the registration, give the keeper an opportunity of being heard, in person or by a representative, against such refusal or cancellation.

- (2) If the Minister, after giving to the keeper of the lodging house an opportunity of being heard, decides to refuse the application or to cancel the registration, the Minister shall, if required by the keeper of the lodging house, deliver to the keeper, within 7 days of the receipt of such requirement, particulars in writing of the reasons for such refusal or cancellation.
- (3) Any person aggrieved by such refusal or cancellation, or by the conditions attached to the registration or renewal of the registration of any lodging house, may appeal to the Inferior Number of the Royal Court, either in term or in vacation, on the ground that the decision of the Minister was unreasonable having regard to all the circumstances of the case.

13 Register of lodgers and obligations to provide particulars etc.⁸

- (1) The keeper of a registered lodging house shall maintain a register in which shall be entered the –
 - (a) full name;
 - (b) place and date of birth;
 - (c) nationality;
 - (d) address prior to arrival;
 - (e) date of arrival; and
 - (f) date of departure,of every person lodging in the house.
- (2) The particulars specified in paragraph (1)(a) to (e) inclusive shall be entered on the date of arrival.
- (3) The particulars specified in paragraph (1)(f) shall be entered on the date of departure.
- (4) The keeper of a registered lodging house who contravenes or fails to comply with paragraph (1) shall be liable to a fine of level 3 on the standard scale.⁹
- (5) Any person who –
 - (a) fails without reasonable excuse, to provide any of the particulars required by paragraph (1) at the time specified in paragraph (2) or (3), as the case may be;
 - (b) knowingly –
 - (i) provides false or misleading information with a view to a false entry being made in a register maintained under this Article or being reckless as to whether such an entry is made, or
 - (ii) makes a false entry in any such register; or

- (c) uses a room in a registered lodging house as sleeping accommodation before the particulars required by paragraph (1)(a) to (e) have been entered in the register, shall for each offence be liable to a fine.¹⁰

14 Tourists not to be accommodated in registered lodging houses

- (1) The keeper of a registered lodging house shall not offer or provide accommodation for reward in the lodging house for any person whom the keeper believes, or has reasonable cause to believe, to be a tourist to Jersey.
- (2) Any keeper of a registered lodging house who contravenes the provisions of this Article shall be liable to a fine of level 2 on the standard scale.¹¹

15 Inspection

- (1) Any officer in an administration of the States for which the Minister is assigned responsibility who is generally or specially authorized in writing in that behalf (in this Article referred to as an “inspector”) shall be entitled, subject to the production by the inspector if so required of evidence of the inspector’s authority, to enter and inspect any registered lodging house or any premises in respect of which an exemption under Article 3 has been granted or any premises which the inspector has reason to believe are being used as a lodging house, and to require the keeper of the lodging house or the proprietor of the premises, or any person in occupation thereof or employed therein, to furnish to the inspector such information in relation to the lodging house or premises as may be reasonably necessary for the purposes of the enforcement of the provisions of this Law.
- (2) Any police officer shall be entitled to enter any registered lodging house and inspect the register maintained therein in pursuance of Article 13.
- (3) Every person who –
 - (a) obstructs or impedes an inspector or a police officer in the exercise of any of the powers conferred by this Article;
 - (b) fails or refuses to give to an inspector or a police officer on demand any information which such inspector or police officer is entitled to demand under this Law; or
 - (c) wilfully gives to an inspector or a police officer information which is false or misleading in a material particular,shall be liable to a fine of level 3 on the standard scale.¹²

16 Service of notices

- (1) Any notice required by this Law to be given to the Minister may be given either by leaving it at an office of the Housing Department or by post.
- (2) Any notice required by this Law to be given to a person being a corporation shall be duly given if it is given to the secretary or clerk of the corporation.
- (3) Subject to the provisions of this Article, any notice required by this Law to be given to any person may be given –
 - (a) by delivering it to that person;

- (b) by leaving it at the person's proper address;
- (c) by registered post; or
- (d) by the recorded service.

17 Offences by managers, agents etc.; accessories and abettors etc.¹³

- (1) Where an offence for which the keeper of a lodging house is liable under this Law, has, in fact been committed by some manager, agent servant or other person, the manager, servant, agent or other person, as well as the keeper, shall be deemed to be guilty of that offence and be liable to be prosecuted and punished accordingly.
- (2) Any person who knowingly and wilfully aids, abets, counsels, procures or commands the commission of an offence against this Law shall be liable to be dealt with, tried and punished as a principal offender.

18 Penalty for falsification and wrongful use of registration certificates and giving of false information

- (1) If, with intent to deceive, any person –
 - (a) makes, in order that it may be used as genuine, or alters or uses or lends to or allows to be used by any other person, a registration certificate; or
 - (b) makes or has in the person's possession any document so closely resembling a registration certificate as to be calculated to deceive,the person shall for each offence be liable to imprisonment for a term of 6 months and to a fine.¹⁴
- (2) If any person, for the purpose of procuring, whether for himself or herself or any other person, the issue of a registration certificate, or for the purpose of obtaining an exemption under Article 3, makes any statement which the person knows to be false or recklessly makes any statement which is false or withholds any material information, the person shall for each offence be liable to imprisonment for a term of 6 months and to a fine.¹⁵

19 Orders

- (1) The Minister may, by Order, make such provision as he or she considers necessary for promoting the general sanitation, ventilation and orderly conduct of registered lodging houses and for preventing the overcrowding of such houses.¹⁶
- (2) The Minister may by Order prescribe the fees payable under this Law (which fees may be so prescribed as to vary in amount according to such matters as the Minister may think proper).¹⁷
- (3) Any Order made under this Article may make provision for the recovery of monetary penalties in respect of a contravention of, or failure to comply with any of the provisions of the Order, so, however, that such penalties shall not exceed level 3 on the standard scale.¹⁸
- (4)¹⁹

20 Fees and expenses

- (1) All fees received in pursuance of this Law shall be credited to the Annual Income of the States.²⁰
- (2) The costs of the administration of this Law shall be defrayed out of the Annual Income of the States.²¹

21 Saving

The provisions of this Law are in addition to, and not in derogation of, the provisions of any other enactment, but so that a person shall not be punished twice for the same offence.

22 Citation

This Law may be cited as the Lodging Houses (Registration) (Jersey) Law 1962.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	°Projet No (where applicable)
Lodging Houses (Registration) (Jersey) Law 1962	L.18/1962	19 September 1962 (Articles 1, 19-22), 1 December 1962 (Articles 5, 6, 8, 9(1)(a) and (2), 12, 15-16 (for the purposes or registration) and Articles 17, 18), 1 March 1963 (Articles 2-16) (R&O.4380)	
Lodging Houses (Registration) (Amendment) (Jersey) Law 1992	L.15/1992	3 February 1993 (R&O.8514)	
States of Jersey (Amendments and Construction Provisions No. 9) (Jersey) Regulations 2005	R&O.49/2005	9 December 2005	P.63/2005
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)	P.87/2015
States of Jersey (Minister for International Development and Minister for Children and Housing) (Jersey) Order 2018	R&O.82/2018	21 July 2018	
States of Jersey (Minister for Children and Education, Minister for Housing and Communities and Minister for External Relations and Financial Services) (Jersey) Order 2021	R&O.29/2021	2 March 2021	
Legislation (Jersey) Law 2021	L.8/2021 (R&O.112/2021)	28 September 2021	P.26/2021
Changes to Ministerial Offices (Jersey) Amendment Order 2024	R&O.10/2024	9.30 a.m. on 27 February 2024	

°Projets available at statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
6(4)	repealed by L.15/1992
19(1A)	19(2)
(2)	(3)
(3)	(4)

Original	Current
22(1)	22
(2)	spent, omitted from this revised edition

Table of Endnote References

- ¹ *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 9) (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*
- ² *Article 1 amended by R&O.82/2018, R&O.29/2021, R&O.10/2024*
- ³ *Article 2(2) inserted by L.15/1992*
- ⁴ *Article 5(1) amended by L.15/1992*
- ⁵ *Article 7 substituted by L.15/1992, amended by L.1/2016*
- ⁶ *Article 9(2) amended by L.15/1992, L.1/2016*
- ⁷ *Article 10 amended by L.15/1992*
- ⁸ *Article 13 substituted by L.15/1992*
- ⁹ *Article 13(4) amended by L.1/2016*
- ¹⁰ *Article 13(5) amended by L.1/2016*
- ¹¹ *Article 14(2) amended by L.1/2016*
- ¹² *Article 15(3) amended by L.15/1992, L.1/2016*
- ¹³ *Article 17 substituted by L.15/1992*
- ¹⁴ *Article 18(1) amended by L.15/1992, L.1/2016*
- ¹⁵ *Article 18(2) amended by L.15/1992, L.1/2016*
- ¹⁶ *Article 19(1) substituted by L.15/1992*
- ¹⁷ *Article 19(2) inserted by L.15/1992*
- ¹⁸ *Article 19(3) amended by L.15/1992, L.1/2016*
- ¹⁹ *Article 19(4) deleted by L.8/2021*
- ²⁰ *Article 20(1) amended by L.15/1992*
- ²¹ *Article 20(2) amended by L.15/1992*