



Jersey

DWELLING-HOUSES (RENT CONTROL) (JERSEY) REGULATIONS 1946

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 1 January 2019 to Current



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DWELLING-HOUSES (RENT CONTROL) (JERSEY) REGULATIONS 1946

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Jersey

DWELLING-HOUSES (RENT CONTROL) (JERSEY) REGULATIONS 1946¹

THE STATES, by virtue and in exercise of the powers conferred upon them by Article 7 of the [Dwelling-Houses \(Rent Control\) \(Jersey\) Law 1946](#) and of all other powers enabling them in that behalf, have made the following Regulations –

Commencement [[see endnotes](#)]

1 Definitions

In these Regulations –

“lessor”, “lessee”, “register” and the “tribunal” have the same meaning as in the Law;

“contract” means a contract to which the Law applies;

“Law” means the [Dwelling-Houses \(Rent Control\) \(Jersey\) Law 1946](#).

2 Tenure of office of members of the tribunal

(1) The chairman and other members of the tribunal shall hold office for a period of 12 months ending on 12th April and shall be re-eligible.

(2) The chairman or any member of the tribunal shall cease to hold office –

- (a) if the chairman or member tenders his or her resignation in writing to the Minister;
- (b) if the chairman or member appoints a special attorney without whom the chairman or member may not transact in matters real or personal;
- (c) if, under Part 4 of the [Capacity and Self-Determination \(Jersey\) Law 2016](#), a delegate is appointed in relation to the chairman or member; or
- (d) if, without reasonable excuse, the chairman or member absents himself or herself from 3 consecutive meetings of the tribunal.²

*Proceedings before the tribunal***3**

- (1) A person desirous of referring a contract to the tribunal, or of referring a case to the tribunal for reconsideration of the rent entered in the register in respect of any premises, may do so by lodging with or sending to the clerk of the tribunal an application in writing asking the tribunal to consider the contract or reconsider the rent, as the case may be.
- (2) The application shall specify the address of the premises to which or to part of which the contract relates, the names of the lessor and lessee and the address of the lessor, and, in the case of a reference for reconsideration of the rent, the ground on which the application is made.

4

- (1) Where any reference is made to the tribunal, the tribunal shall give notice in writing to each party to the contract informing the party that the party may, within such time (not being less than 7 days from the date of the notice) as the tribunal may allow, either –
 - (a) give notice to the clerk of the tribunal that the party desires to be heard by the tribunal; or
 - (b) send to the clerk of the tribunal representations in writing for the consideration of the tribunal:Provided that the tribunal may extend the time stated in the notice.
- (2) In the case of a reference for the reconsideration of the rent, the tribunal shall, at the same time as notice is given as aforesaid, inform the party or parties, other than the applicant, of the ground on which the application is made.

5

If any party to the contract gives notice to the clerk of the tribunal that the party desires to be heard, the tribunal shall give to each party not less than 4 clear days' notice in writing of the time and place at which the parties will be heard.

6

At any hearing before the tribunal, a party to the contract may appear in person or be represented or accompanied by any person whom the party may wish to represent or assist the party at the hearing.

7

- (1) Subject to the provisions of these Regulations, the procedure at a hearing shall be such as the tribunal may determine, and the tribunal may, if it thinks fit, and, at the request of either party, shall, unless for some special reason the tribunal considers it to be undesirable, allow the hearing to be held in public.

- (2) The tribunal may postpone or adjourn the hearing from time to time as it thinks fit.

8

- (1) The decision of a majority of the tribunal shall be the decision of the tribunal.
- (2) The decision of the tribunal shall be in writing, signed by the chairman, and shall be sent, as soon as may be, to the parties to the contract and to the Minister.

9 Service of notices

Where any notice is required or authorized by the Law or by these Regulations to be given by the tribunal, it shall be sufficient compliance with the Law or the Regulations if the notice is sent by post in a pre-paid letter addressed to the party for whom it is intended at the party's usual or last known address.

10 Information to be given by lessors

The particulars regarding which the lessor in a contract referred to the tribunal may be required, under Article 4(1), to give information to the tribunal shall be those set out in Schedule 1.

11 Register

- (1) The particulars to be furnished by the tribunal to the Minister and to be entered in the register in pursuance of Article 5 of the Law shall be those set out in Schedule 2 to these Regulations.
- (2) The register shall be open to inspection at an office of the Housing Department during the normal business hours of that office.
- (3) The fee for a certified copy of an entry in the register given in accordance with the provisions of Article 9(2) of the Law shall be 5p.

12 Citation

These Regulations may be cited as the Dwelling-Houses (Rent Control) (Jersey) Regulations 1946.

SCHEDULE 1**PARTICULARS REGARDING WHICH LESSORS MAY BE REQUIRED TO GIVE INFORMATION**

(Regulation 10)

1. The address of the premises to which or to part of which the contract relates.
2. The name of the lessee.
3. Total accommodation in house and outbuildings.
4. Accommodation in the house occupied by the lessee (a) exclusively (b) in common with any other person.
5. Accommodation in the outbuildings occupied by the lessee (a) exclusively (b) in common with any other person.
6. Where the area of the land occupied by the lessee exceeds 5 perches, the approximate area of the land.
7. Furniture provided by the lessor for the use of the lessee.
8. Services provided by the lessor for the use of the lessee.
- 9.
- (1) (*Where the lessor is the owner*) – In what manner the lessor became owner; at what date; if the lessor bought the premises, the price paid; and the amount of interest on any *rentes*, mortgages or other charges on the premises.
- (2) (*Where the lessor is not the owner*) – The rent payable by the lessor to the lessor's superior landlord in respect of (a) the premises, or (b) that part of the premises which is rented by the lessor from the superior landlord.
10. Rates payable by the lessor in respect of (a) the premises, and (b) the accommodation occupied by the lessee where this accommodation has been separately assessed for rates.
11. Payments contracted to be made by the lessee to the lessor, and, if separate payments are made in respect of occupation, furniture and services, the separate payments in respect of each class.
12. Whether board is supplied and, if so, the nature and amount of the board.

SCHEDULE 2**PARTICULARS TO BE ENTERED IN THE REGISTER**

(Regulation 11)

1. Specification of the premises to which the contract referred to the tribunal relates, stating, where the contract relates to a part only of the premises –
 - (a) accommodation of which the lessee is entitled to exclusive occupation;
 - (b) accommodation of which the lessee is entitled to the use in common with any other person.
2. Names and addresses of parties to the contract referred to the tribunal.
3. Whether furniture is provided by the lessor for the use of the lessee and, if so, whether the premises are furnished by the lessor fully, or in part, or to a slight extent.
4. Services provided by the lessor.
5. Whether board is supplied and, if so, the nature and amount of the board.
6. Rent as approved or reduced or increased by the tribunal.
7. Date on which the entry is made in the register under head 6.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Dwelling-Houses (Rent Control) (Jersey) Regulations 1946	R&O.1665	30 November 1946	
States of Jersey (Amendments and Construction Provisions No. 9) (Jersey) Regulations 2005	R&O.49/2005	9 December 2005	P.63/2005
Mental Health and Capacity (Consequential Amendment and Transitional Provision) (Jersey) Regulations 2018	R&O.49/2018	1 October 2018 (R&O.51/2018)	P.48/2018

◦Projets available at www.statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
2(1) proviso	spent, omitted from this revised edition
First Schedule	SCHEDULE 1
Second Schedule	SCHEDULE 2

Table of Endnote References

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- ¹ *These Regulations have 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 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 *Regulation 2(2) amended by R&O.49/2018*