

GUERNSEY STATUTORY INSTRUMENT

2012 No. 67

**The Housing (Control of Occupation)  
(Fees) (Guernsey) Regulations, 2012**

<i>Made</i>	<i>6<sup>th</sup> December, 2012</i>
<i>Coming into operation</i>	<i>1<sup>st</sup> January, 2013</i>
<i>Laid before the States</i>	<i>, 2013</i>

**THE HOUSING DEPARTMENT**, in exercise of the powers conferred on it by sections 2A, 14A, 46A and 66A of the Housing (Control of Occupation) (Guernsey) Law, 1994<sup>a</sup> and all other powers enabling it in that behalf, hereby makes the following Regulations:-

**Fees for applications made under s.2(1) of the Law.**

1. In the case of an application made under section 2(1) of the Law, received by the Authority on or after 1 January 2013 the Authority may require the payment of a fee of -

- (a) £88 for a housing licence that falls within section 4(1)(a) of the Law (a short-term housing licence of up to 9 months),

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<sup>a</sup> Order in Council No. IV of 1994; amended by No. VI of 1998; No. III of 2002; and No. VIII of 2007; also amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003) and No. 1 of 2009.

- (b) £320 for a housing licence that falls within section 4(1)(b) of the Law (a short-term housing licence for more than 9 months and up to 3 years),
- (c) £11 per month of the licence applied for where the licence falls within -
  - (i) section 2(2)(a) of the Law (an application made by the owner of the dwelling to which the application relates),
  - (ii) section 2(2)(b) of the Law (an application made by the person in question or the employer of that person), or
  - (iii) section 2(2)(c) of the Law (an application made by a prospective employer),

and if more than one of the above fees applies, then only one of the fees (which, if the fees are not equal, shall be the higher or highest fee) shall be payable.

**Fees for applications made under s.14(1) of the Law.**

2. The Authority may require the payment of a fee of £57 for an application -

- (a) made under section 14(1) of the Law,
- (b) where a person claims to be occupying a dwelling in such circumstances as not to require a housing licence by virtue of section 20 of the Law, and
- (c) received by the Authority after 1 January 2013.

**Fees for applications made under s.46(1) of the Law.**

3. The Authority may require the payment of a fee of £295 for an application made under section 46(1) of the Law.

**Interpretation.**

4. (1) In these Regulations, unless the context requires otherwise, "the Law" means the Housing (Control of Occupation) (Guernsey) Law, 1994.

(2) The Interpretation (Guernsey) Law, 1948<sup>b</sup> applies to the interpretation of these Regulations.

(3) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

**Revocation of Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2009.**

5. The Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2009 are revoked<sup>c</sup>.

**Citation and commencement.**

6. These Regulations may be cited as the Housing (Control of Occupation) (Fees) (Guernsey) Regulations, 2012 and shall come into force on the 1<sup>st</sup> January, 2013.

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<sup>b</sup> Ordres en Conseil Vol. XIII, p. 355.

<sup>c</sup> G.S.I. No. 6 of 2009.

Dated this 6<sup>th</sup> day of December, 2012



DEPUTY D. B. JONES

Minister of the States Housing Department

For and on behalf of the Department

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations increase, the fees charged for certain applications made under the Housing (Control of Occupation) (Guernsey) Law, 1994, as amended, the current fees having been in place since 2009.

The fee increase takes effect on 1 January 2013.