

GUERNSEY STATUTORY INSTRUMENT

2025 No. 18

**The Rented Dwellings (Minimum Standards)
(Guernsey) Regulations, 2025**

<i>Made</i>	<i>24th March, 2025</i>
<i>Coming into operation</i>	<i>1st July, 2025</i>
<i>Laid before the States</i>	<i>30th April, 2025</i>

THE COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE, in exercise of the powers conferred on it by sections 4 and 191 of the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025^a, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Application of these Regulations.

1. (1) These Regulations apply to all rented dwellings.

(2) These Regulations prescribe minimum standards that all rented dwellings must comply with for the purpose of section 4 of the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025.

General Condition of Rented Dwellings.

2. (1) The following must be structurally sound and maintained in a safe condition and (subject to paragraph (3)) a good state of repair –

^a Ordinance No. X of 2025

- (a) the structure and exterior of the rented dwelling (including drainage facilities),
- (b) where the rented dwelling forms only part of a building, the structure and exterior (including drainage facilities) of any common parts of the building,
- (c) every outbuilding that an occupier is entitled to use as part of their occupation of the rented dwelling, and
- (d) every boundary wall, fence or railing located on the plot of land on which the rented dwelling is situated, provided that the controller has an estate or interest in that wall, fence or railing.

(2) Every entrance or exit from the rented dwelling, including doors, porches and steps, must be kept free from obstruction and, where the rented dwelling forms only part of a building, this obligation extends to every entrance or exit in which the controller has an estate or interest.

(3) The obligation under paragraph (1) to maintain something in a "**good state of repair**" only arises where disrepair is such as to affect the occupier's enjoyment of –

- (a) the rented dwelling, or
- (b) any common parts that the occupier is entitled to use.

Essential Facilities.

3. (1) A rented dwelling must provide every occupier with indoor access to the following –

- (a) a toilet,

- (b) a bath or shower with adequate supplies of hot and cold water, and
- (c) a wash hand basin with a tap (or taps) capable of drawing adequate supplies of hot and cold water, including wholesome drinking water,

and all such installations must be properly connected to an effective drainage system.

(2) A rented dwelling must provide every occupier with indoor access to –

- (a) a space in which food can be washed and prepared,
- (b) two hobs for cooking food, and
- (c) an oven for cooking food.

(3) Every occupier of a rented dwelling must have access to adequate heating facilities, and such facilities must –

- (a) be capable of being switched on and off by controls readily accessible to every occupier, and
- (b) enable every occupier to adjust the temperature of the heating.

(4) The facilities referred to in paragraphs (1), (2) and (3) must be maintained in a good state of repair and be readily available for use by every occupier.

(5) An installation specified in paragraph (6) that –

- (a) directly or indirectly serves any part of the rented dwelling, or common parts, and
- (b) either

- (i) forms part of a building in which the controller has an estate or interest, or
- (ii) is owned by the controller or is under the controller's control,

must be maintained in a good state of repair and be readily available for use by every occupier.

(6) The installations referred to in paragraph (5) are –

(a) installations for the supply of –

(i) electricity,

(ii) gas,

(iii) oil,

(iv) heating water, and

(v) lighting,

(b) installations for storing food, and

(c) receptacles or other installations provided in connection with the delivery to the premises of postal packets.

(7) A rented dwelling must provide a means to effectively discharge foul water and surface water from those premises and in a manner that is not prejudicial to the health of, or a nuisance to, an occupant.

(8) In this regulation –

"**adequate heating facilities**" means facilities that provide a means of heating any room used in the dwelling for living or sleeping purposes, other than a room used or intended to be used exclusively as a kitchen or bathroom,

"**indoor access**" in respect of a facility means that the occupier can move from their bedroom to that facility without ever having to go outdoors, and

"**oven**" means one with an enclosed compartment used for cooking food using radiant heat.

Electrical safety.

4. (1) The controller must ensure that –

(a) the electrical safety standards are met in respect of the rented dwelling, and

(b) subject to paragraphs (2) and (3), every electrical installation in the rented dwelling is inspected and tested by a qualified person within 5 years of the last such inspection and testing.

(2) Where the most recent report obtained under subparagraph (4)(a) requires the next inspection and testing to be carried out sooner than would otherwise be the case under subparagraph (1)(b), the controller must ensure that the next inspection and testing is carried out by the date or within the period (as the case may be) specified in the report.

(3) Where, on the commencement of these Regulations, a rented dwelling contains an electrical installation that has not been inspected and tested by a qualified person, or which was last tested and inspected by a qualified person more than 5 years prior the commencement of these Regulations, an inspection and testing of that electrical installation must be carried out by a qualified person by the 1st January 2026 and thereafter periodically tested and inspected in accordance with paragraphs (1) and (2).

(4) Following an inspection and testing required under any of paragraphs (1) to (3) the controller must—

- (a) obtain a report from the person conducting that inspection and test that gives the results of the inspection and test and the date of the next inspection and test,
- (b) supply a copy of that report to each existing occupier of the rented dwelling within 28 days of the inspection and test,
- (c) supply a copy of that report to an authorised officer within 7 days of receiving a request in writing from that authorised officer, and
- (d) retain a copy of that report until the next inspection and test is due and supply a copy to the person carrying out the next inspection and test.

(5) Where a report under subparagraph (4)(a) indicates that the controller is or is potentially in breach of the duty under subparagraph (1)(a) and the report requires the controller to undertake further investigative or remedial work, the controller must ensure that further investigative or remedial work is carried out by a qualified person within—

- (a) 28 days; or
- (b) the period specified in the report if less than 28 days,

starting with the date that the inspection and testing concluded.

(6) Where paragraph (5) applies, the controller must—

- (a) obtain written confirmation from a qualified person that the further investigative or remedial work has been carried out and that –
 - (i) the electrical safety standards are met, or
 - (ii) further investigative or remedial work is required, and
- (b) within 28 days of completion of the further investigative or remedial work supply that written confirmation, together with a copy of the report under subparagraph (4)(a) that required the further investigative or remedial work to –
 - (i) each existing occupier of the rental dwelling, and
 - (ii) the Director.

(7) Where further investigative work is carried out in accordance with paragraph (5) and the outcome of that further investigative work is that further investigative or remedial work is required, the controller must repeat the steps in paragraphs (5) and (6) in respect of that further investigative or remedial work until the electrical safety standards are met in respect of the rented dwelling.

(8) For the purposes of this Regulation –

"qualified person" means a person competent to undertake the inspection and testing required under subparagraph (1)(b) and any further investigative or remedial work in accordance with the electrical safety standards,

"electrical installation" means fixed electrical cables or fixed electrical equipment located on the consumer's side of the electricity supply meter, and

"**electrical safety standards**" means the standards for electrical installations in the eighteenth edition of the Wiring Regulations, published by the Institution of Engineering and Technology and the British Standards Institution as BS 7671: 2018, including any subsequent amendments, or such other publication as may replace that publication.

Oil Safety.

5. (1) Subject to paragraphs (2) and (3), the controller must ensure that every oil-fired combustion appliance is inspected and tested by a qualified person within 12 months of the last such inspection and testing.

(2) Where the most recent report obtained under subparagraph (4)(a) requires the next inspection and testing to be carried out sooner than would otherwise be the case under paragraph (1), the controller must ensure that the next inspection and testing is carried out by the date or within the period (as the case may be) specified in the report.

(3) Where, on the commencement of these Regulations, a rented dwelling contains an oil-fired combustion appliance that has not been inspected and tested by a qualified person, or which was last tested and inspected by a qualified person more than 12 months prior the commencement of these Regulations, an inspection and testing of that appliance must be carried out by a qualified person by the 1st January 2026 and thereafter periodically tested and inspected in accordance with paragraphs (1) and (2).

(4) Following an inspection and testing required under any of paragraphs (1) to (3) the controller must—

(a) obtain a report from the person conducting that inspection and test that gives the results of the inspection and test and the date of the next inspection and test,

- (b) supply a copy of that report to an occupier of the rented dwelling within 28 days of receiving a request in writing from that occupier,
- (c) supply a copy of that report to an authorised officer within 7 days of receiving a request in writing from that authorised officer, and
- (d) retain a copy of that report until the next inspection and test is due and, if requested by the person carrying out the next inspection and test, supply a copy to that person.

(5) Where a report under sub-paragraph (4)(a) requires the controller to undertake further investigative or remedial work, the controller must ensure that further investigative or remedial work is carried out as soon as reasonably practicable.

(6) Where paragraph (5) applies, the controller must—

- (a) obtain a written update from a qualified person –
 - (i) confirming that the further investigative or remedial work has been carried out, and
 - (ii) indicating whether further investigative or remedial work is required, and
- (b) within 28 days of completion of the further investigative or remedial work supply that written update, together with a copy of the report under subparagraph (4)(a) that required the further investigative or remedial work to –
 - (i) each existing occupier of the rental dwelling, and

(ii) the Director.

(7) Where further investigative work is carried out in accordance with paragraph (5) and the outcome of that further investigative work is that further investigative or remedial work is required, the controller must repeat the steps in paragraphs (5) and (6) in respect of that further investigative or remedial work until no further investigative or remedial work is required.

(8) For the purposes of this Regulation "**qualified person**" means a person competent to undertake the inspection and testing required under paragraph (1) and any further investigative or remedial work.

Gas Safety.

6. The controller must comply with any obligation imposed on the controller under the Health and Safety (Gas) (Guernsey) Ordinance, 2006^b.

Fire Safety.

7. The controller must comply with any obligation imposed on the controller under the Fire Services (Guernsey) Law, 1989^c and any secondary legislation made under that Law.

Alarms.

8. (1) A rented dwelling must have—
- (a) a smoke alarm equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation,

^b No. XIV of 2006 (Recueil d'Ordonnances Tome XXXI, p. 319); this enactment has been amended.

^c Ordres en Conseil Vol. XXXI, p. 432; this enactment has been amended.

(b) a carbon monoxide alarm equipped in any room of the premises that is –

(i) used wholly or partly as living accommodation, and

(ii) contains a fixed combustion appliance other than a gas cooker.

(2) The alarms referred to in subsection (1) must be in proper working order on the first day that an occupier moves into the premises.

(3) If an alarm referred to in subsection (1) ceases to be in proper working order, it must be repaired or replaced as soon reasonably practicable after a controller is informed or otherwise learns or has reason to believe that the alarm is not (or might not be) in proper working order.

(4) In this regulation a "**room used wholly or partly as living accommodation**" includes a bathroom or lavatory.

Limitations on Duty.

9. Nothing in these Regulations requires a controller to maintain or keep in repair anything that an occupier is entitled to remove from the dwelling.

Interpretation.

10. In these Regulations –

"**adequate heating facilities**" has the meaning given in regulation 3(8),

"**common parts**", in relation to any building or part of a building, includes the structure and exterior of that building or part and any common facilities within it,

"**drainage facilities**" means any gutter, drain, shoot, stack-pipe, down-spout or similar external pipe used for drainage,

"**electrical installation**" has the meaning given in regulation 4(8),

"**electrical safety standards**" has the meaning given in regulation 4(8),

"**good state of repair**" –

- (a) includes, where the context permits, proper working order, and
- (b) shall be that which is reasonable having regard to the age and character of the dwelling and the period during which the dwelling is likely to be occupied as a home,

and see also regulation 2(3),

"**indoor access**" has the meaning given in regulation 3(8)3(7),

"**oven**" has the meaning given in regulation 3(8),

"**qualified person**" has the meaning given in regulation 4(8) or 5(8), as the case may be,

"**rented dwelling**" has the same meaning as in section 194 of the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025, and

"**room**" includes a hall or landing.

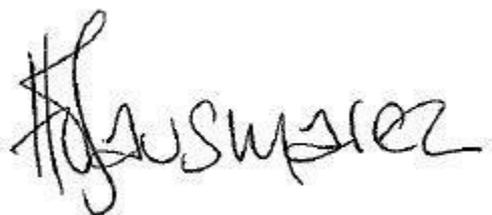
Citation.

11. These Regulations may be cited as the Rented Dwellings (Minimum Standards) (Guernsey) Regulations, 2025.

Commencement.

12. These Regulations shall come in force on the 1st July 2025.

Dated this 24th day of March 2025

A handwritten signature in black ink, appearing to read 'H. L. De Saumarez', is centered on the page. The signature is written in a cursive, slightly slanted style.

H. L. DE SAUSMAREZ

President of the Committee for the Environment & Infrastructure

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, in conjunction with section 4 of the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2025 ("**the Ordinance**"), introduce in Guernsey, Herm and Jethou minimum standards that rented dwellings must comply with. These Regulations prescribe those minimum standards, whereas the Ordinance contains provision for the investigation and enforcement of contraventions of those minimum standards.

Regulation 2 contains requirements relating to the structure and exterior of rented dwellings, including outbuildings and boundaries, and also a requirement to have unobstructed entrances and exits.

Regulation 3 prescribes some facilities that are deemed essential and so must be made available to every occupier of a rented dwelling. It also stipulates other facilities which, if serving the rented dwelling, must be maintained in a good state of repair. A requirement to provide a means of effectively discharging foul water and surface water is also contained within this regulation.

Regulations 4 and 5 concern electrical and oil safety respectively and require regular inspection and testing. Regulations 6 and 7 extend the prescribed minimum standards under these Regulations to existing obligations under certain enactments relating to gas and fire safety respectively. Regulation 8 contains a duty to equip and repair or replace smoke and carbon dioxide alarms when certain criteria is met.

Regulation 9 stipulates that the duties of a controller to maintain and repair under these Regulations do not extend to anything that an occupier is entitled to remove from the dwelling.