

# ORDER IN COUNCIL

**XXII**

**1969**

ratifying a Projet de Loi

ENTITLED

## **The Housing Control (Guernsey) Law, 1969**

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(Registered on the Records of the Island of Guernsey  
on the 25th day of November, 1969.)

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1974

# ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 25th day of November, 1969, before John Henry Loveridge, Esquire, C.B.E., Deputy Bailiff; present:—Bertram Guy Blampied, Claude Fortescue Nason, Stanley Walter Gavay, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Albert Victor Dorey, Esquire, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., D'Arcy George Le Tissier, William Burton Fox, Esquires, Edward James Lainé, Esquire, C.B.E., D.F.C., Edward Martel, and Jean Le Pelley, Esquires, Jurats.*

The Deputy Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 22nd day of October, 1969, ratifying a *Projet de Loi* entitled "The Housing Control (Guernsey) Law, 1969", the Court, after the reading of the said Order in Council and after having heard Her Majesty's Comptroller thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

# At the Court at Buckingham Palace

The 22nd day of October 1969

PRESENT,

## The Queen's Most Excellent Majesty

LORD PRESIDENT

LORD STONHAM

LORD CHALFONT

MR BENN

MRS HART

SIR HUMPHREY GIBBS

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 2nd day of October 1969, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

- ‘1. That, in pursuance of their Resolution of the 30th day of January 1969, the States of Deliberation at a meeting held on the 30th day of July 1969, approved a Bill or “Projet de Loi” entitled “The Housing Control (Guernsey) Law, 1969” and requested the Bailiff to present a most humble Petition to Your Majesty in Council praying for your Royal Sanction thereto.
2. That the said Bill or “Projet de Loi” is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty might be graciously pleased to grant Your Royal Sanction to the Bill or

“Projet de Loi” of the States of Guernsey entitled “The Housing Control (Guernsey) Law, 1969” and to order that the same shall have force of law in the Island of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HER MAJESTY having taken the said Report into consideration is pleased, by and with the advice of Her Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HER MAJESTY doth hereby further direct that this Order and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty’s Officers for the time being in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

*W. G. Agnew.*



Projet de Loi referred to in the foregoing  
Order in Council.

## PROJET DE LOI

ENTITLED

### **The Housing Control (Guernsey) Law, 1969**

#### ARRANGEMENT OF SECTIONS

Section

#### PART I

##### *Control of occupation of dwellings*

1. Prohibition on occupation without a licence.
2. Application for a licence to occupy.
3. Grant or refusal of licence.
4. Factors to be taken into account by the Authority.
5. Law not to apply in certain cases.

#### PART II

##### *Registration of dwellings to which this Part applies*

6. Housing Control Register.
7. Authority to inscribe certain dwellings on Register.
8. States to make provision for Register.
9. Classes of dwellings to which this Part applies.
10. Dwellings which are altered, etc.
11. Dwellings to which this Part does not apply.
12. Burden of proof.
13. Provisions concerning additional classes of dwellings to which this Part applies.

## PART III

*Special licences to occupy certain dwellings*

14. Prohibition on occupation of dwelling other than one on Register without a licence.
15. Application for a licence to occupy.
16. Grant or refusal of licence.
17. Factors to be taken into account by the Authority.
18. Grant of licence to occupy dwelling to be constructed.
19. Prohibition on occupation of certain dwellings owned by companies.
20. Application for licence to occupy.
21. Grant or refusal of licence.
22. Factors to be taken into account by the Authority.

## PART IV

*Further information, appeals, offences, penalties, interpretation, repeal, citation and commencement*

23. Supply of further information.
24. Appeals.
25. Licences to be personal.
26. Occupation by members of household of licensee.
27. Exceptions.
28. Service of notices.
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31. Certain penalties to be prescribed by Ordinance.
32. Interpretation.
33. Repeal.
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35. Commencement and duration.

# PROJET DE LOI

ENTITLED

## **The Housing Control (Guernsey) Law, 1969**

THE STATES, in pursuance of their Resolution of the thirtieth day of January, nineteen hundred and sixty-nine, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

### PART I

#### *Control of occupation of dwellings*

1. Subject to the succeeding provisions of this Law, a person shall not occupy a dwelling in this Island otherwise than under and in accordance with a licence granted by the Authority under the provisions of section three of this Law.

Prohibition  
on occupa-  
tion without  
a licence.

2. (1) Subject to the provisions of subsection (2) of this section, any person desirous of obtaining a licence under the provisions of section three of this Law shall make application in that behalf to the Authority and such application shall be in such form and accompanied by such information as the Authority may, from time to time, require.

Application  
for a  
licence  
to occupy.

(2) An application under the provisions of the last preceding subsection may be made:—

- (a) by the owner of the dwelling to which the application relates, or
- (b) by a person, not being the owner thereof, who is desirous of occupying the dwelling to which the application relates.



Grant or  
refusal of  
licence.

3. (1) The Authority may, upon receipt of an application under the provisions of the last preceding section, grant a licence (hereinafter referred to as a "housing licence") in respect of a dwelling:—

(a) to the owner thereof, for the occupation of that dwelling—

(i) by persons generally, or

(ii) by a person or persons named in the licence,

who would, by virtue of the provisions of this Law, be otherwise precluded from occupying that dwelling;

(b) to a person, not being the owner thereof, for the occupation of that dwelling by that person who would, by virtue of the provisions of this Law, be otherwise precluded from occupying that dwelling.

(2) The Authority may attach to the grant of a housing licence such conditions as it may deem necessary or expedient to impose by reason of any shortage of housing accommodation in this Island at the time of the grant of the licence including a condition specifying the maximum continuous period during which the dwelling in respect of which the licence is granted may be occupied by any person.

(3) The Authority may, upon receipt of an application under the provisions of the last preceding section, refuse to grant a housing licence in respect of the dwelling to which the application relates.

Factors to  
be taken  
into account  
by the  
Authority.

4. (1) In deciding whether or not, in the exercise of its powers under the provisions of the last preceding section, to grant a housing licence the Authority shall take into account the following factors:—

- (a) whether the employment of the applicant for the licence is by reason of his qualifications, skill or experience essential to the community;
- (b) whether the number of dwellings, similar by reason of size, cost or rateable value as inscribed in the Cadastre to the dwelling in respect of which the application is made, which are available for occupation at the time of the application is sufficient to meet the housing requirements of persons possessing the specified residential qualifications;
- (c) where the applicant for the licence is or is to be employed by a Committee of the States, the views on the application, of the Committee concerned.

(2) Nothing in the last preceding subsection contained shall be taken to preclude the Authority in deciding whether or not, in the exercise of its powers under the provisions of the last preceding section, to grant a housing licence from taking into account such other factors as the Authority may, from time to time, deem necessary or expedient.

5. (1) The provisions of section one of this Law shall not apply to:—

Law not  
to apply  
in certain  
cases.

(a) a person—

- (i) who, at any time during the period commencing on the first day of January, nineteen hundred and thirty-eight, and ending on the thirtieth day of June, nineteen hundred and fifty-seven, had his ordinary place of residence in this Island, and

- (ii) who, on the thirty-first day of July, nineteen hundred and sixty-eight, was occupying a dwelling in this Island; or
  - (b) a person who, on the thirty-first day of July, nineteen hundred and sixty-eight, was the spouse or child of such a person as is mentioned in the last preceding paragraph; or
  - (c) a person in respect of his occupation of a dwelling which he was occupying on the twenty-ninth day of January, nineteen hundred and sixty-nine, and which, on that date, he did not require a licence to occupy under the Law of 1967 or which, on that date, he was occupying under or by virtue of a licence granted under the provisions of Law of 1967; or
  - (d) a person in respect of his occupation of a dwelling which is for the time being inscribed in the Housing Control Register established and maintained in pursuance of the provisions of Part II of this Law and which is not for the time being owned by a body corporate; or
  - (e) a person in respect of his occupation of the whole or any part of a furnished dwelling if the period of such occupation by that person in any period of twelve consecutive months does not exceed a total period of ninety days; or
  - (f) a person in respect of his occupation of accommodation in any premises in respect of which there is for the time being in force a boarding permit granted under the provisions of the Tourist Law, 1948.
- (2) Notwithstanding the provisions of subsection (2) of section thirty-five of this Law, the States may,

from time to time, by Ordinance suspend the operation of the provisions of paragraph (e) of the last preceding subsection.

(3) In this section the expression "child" means the issue in the first degree of a person and includes a step-child, an adopted child and an illegitimate child.

## PART II

### *Registration of dwellings to which this Part applies*

6. The Authority shall, subject to the succeeding provisions of this Law and of any Ordinance made thereunder, on the coming into force of this Law establish and thereafter maintain, in a book kept solely for the purpose, a register of dwellings to which this Part of this Law applies (hereinafter referred to as "the Housing Control Register").

Housing  
Control  
Register.

7. The Authority shall, subject to the succeeding provisions of this Law and of any Ordinance made thereunder, upon application being made to it in accordance with the provisions of any such Ordinance by the owner of a dwelling to which this Part of this Law applies, inscribe that dwelling in the Housing Control Register in accordance with the provisions of any such Ordinance.

Authority  
to inscribe  
certain  
dwellings on  
Register.

8. Subject to the succeeding provisions of this Law, the States may, from time to time, by Ordinance make such provision as they may deem necessary or expedient for the establishment and maintenance by the Authority of the Housing Control Register and, without prejudice to the generality of the foregoing, they may, from time to time, by Ordinance, in particular, make provision for all or any of the following matters:—

States to  
make pro-  
vision for  
Register.

- (a) the form of the Housing Control Register and the matters to be inscribed therein;

- (b) the manner in which the owner of a dwelling to which this Part of this Law applies who is desirous of having that dwelling inscribed in the Housing Control Register shall make application in that behalf to the Authority;
- (c) the information which shall accompany any such application as aforesaid, whether to be supplied by the owner or the occupier of the dwelling concerned or by both such owner and such occupier;
- (d) the furnishing of information at any time by the owner or occupier of a dwelling which is inscribed in the Housing Control Register or by both such owner and such occupier;
- (e) the times during which, and the places at which, the Housing Control Register shall be available for inspection by members of the public;
- (f) the entry into, and inspection of, any premises for any purpose connected with the exercise of any power conferred by the provisions of any such Ordinance;
- (g) such incidental and supplementary matters for which the States deem it necessary or expedient for the purposes of any such Ordinance to provide.

Classes of dwellings to which this Part applies.

9. (1) This Part of this Law shall apply to the following classes of dwellings:—

- (a) any dwelling constructed or to be constructed on the area of land situate in the Parish of Saint Peter Port known as Fort George and conveyed by the States to Fort George Developments Limited the registered office of which is situate at No. 10, Lefebvre

Street, in the said Parish, by a conveyance registered at the Greffe on the twenty-ninth day of September, nineteen hundred and sixty-one;

(b) a dwelling—

- (i) of which the rateable value as inscribed in the Cadastre on the thirty-first day of December, nineteen hundred and sixty-two, was, or
- (ii) if no rateable value was so inscribed on that date, the rateable value when first so inscribed was or is,

in excess of eighty-five pounds sterling per annum:

Provided that if no rateable value was so inscribed on the nineteenth day of July, nineteen hundred and sixty-eight, such a dwelling shall not be a dwelling to which this Part of this Law applies unless the owner thereof satisfies the Authority that he had constructed or purchased or entered into a contract for the construction or purchase of that dwelling before the said nineteenth day of July;

(c) a dwelling—

- (i) of which the rateable value as inscribed in the Cadastre on the thirty-first day of December, nineteen hundred and sixty-two, was, or
- (ii) if no rateable value was so inscribed on that day, the rateable value when first so inscribed was or is,

in excess of fifty pounds sterling per annum but not in excess of eighty-five pounds sterling per annum if the dwelling is one—

- (iii) in respect of the construction or purchase of which a person not possessing the residential qualification set out in subsection (1) of section one of the Law of 1967 had, prior to the twenty-sixth day of January, nineteen hundred and sixty-six, entered into a contract and had thereafter so satisfied the Authority within the meaning of that expression in the Law of 1948, or
- (iv) which on the twenty-sixth day of January, nineteen hundred and sixty-six, was occupied by a person who did not require a licence to occupy that dwelling under the provisions of the Law of 1948.

(2) Notwithstanding the provisions of the proviso to paragraph (b) of the last preceding subsection, a dwelling in respect of which no rateable value is inscribed in the Cadastre shall be a dwelling to which this Part of this Law applies if the owner thereof satisfies the Authority that—

- (a) if a rateable value were so inscribed it would be in excess of eighty-five pounds sterling per annum, and
- (b) he had constructed or purchased or entered into a contract for the construction or purchase of that dwelling before the nineteenth day of July, nineteen hundred and sixty-eight.

Dwellings  
which are  
altered, etc.

10. (1) Where two or more dwellings, any one of which is not a dwelling to which this Part of this Law applies, are combined, whether by alteration

or otherwise, so as to be used or usable as a single dwelling which, but for the provisions of this subsection, would be a dwelling to which this Part of this Law applies, then that single dwelling whether or not inscribed as such in the Cadastre shall not be a dwelling to which this Part of this Law applies.

(2) Where a single dwelling, whether inscribed on the Housing Control Register or not, which is a dwelling to which this Part of this Law applies is, whether by alteration or otherwise, used or made usable as two or more dwellings, then the first mentioned single dwelling whether or not inscribed as such in the Cadastre shall cease to be a dwelling to which this Part of this Law applies and if inscribed on the Housing Control Register shall be deleted therefrom by the Authority.

11. (1) A dwelling which, but for the provisions of this subsection, would be a dwelling to which this Part of this Law applies and which, on the twenty-third day of December, nineteen hundred and sixty-eight, was owned and occupied by a person possessing the specified residential qualifications shall cease to be a dwelling to which this Part of this Law applies—

Dwellings to which this Part does not apply.

- (a) if that person ceased to occupy that dwelling and occupied another dwelling in this Island before the coming into force of this Law, or
- (b) on that person ceasing to occupy that dwelling and occupying another dwelling in this Island after the coming into force of this Law but before the first mentioned dwelling is inscribed in the Housing Control Register.



(2) A dwelling which, but for the provisions of this subsection, would be a dwelling to which this Part of this Law applies and which, on the twenty-third day of December, nineteen hundred and sixty-eight, was owned by a person jointly with the spouse of that person and was occupied by those persons one of whom possessed the specified residential qualifications, shall cease to be a dwelling to which this Part of this Law applies—

- (a) if both those persons or, after the death of one of those persons, the surviving spouse living with that person on the date of death, ceased to occupy that dwelling and occupied another dwelling in this Island before the coming into force of this Law, or
- (b) on both those persons or, after the death of one of those persons, the surviving spouse living with that person at the date of death, ceasing to occupy that dwelling and occupying another dwelling in this Island after the coming into force of this Law but before the first mentioned dwelling is inscribed in the Housing Control Register.

(3) A dwelling which, but for the provisions of this subsection, would be a dwelling to which this Part of this Law applies and which, on the twenty-third day of December, nineteen hundred and sixty-eight, was owned jointly by two persons neither of whom was the spouse of the other and was occupied by one or both of those persons, at least one of whom possessed the specified residential qualifications, shall cease to be a dwelling to which this Part of this Law applies:—

- (a) where the dwelling was occupied by one of those persons possessing the specified residential qualifications—

- (i) if that person ceased to occupy that dwelling and occupied another dwelling in this Island before the coming into force of this Law, or
  - (ii) on that person ceasing to occupy that dwelling and occupying another dwelling in this Island after the coming into force of this Law but before the first mentioned dwelling is inscribed in the Housing Control Register;
- (b) where the dwelling was occupied by both of those persons—
- (i) if one of those persons possessing the specified residential qualifications or, after the death of one of those persons, the survivor possessing the specified residential qualifications who occupied the dwelling with that person at the date of death, ceased to occupy that dwelling and occupied another dwelling in this Island before the date of the coming into force of this Law, or
  - (ii) on one of those persons possessing the specified residential qualifications or, after the death of one of those persons, the survivor possessing the specified residential qualifications who occupied the dwelling with that person at the date of death, ceasing to occupy that dwelling and occupying another dwelling in this Island after the coming into force of this Law but before the first mentioned dwelling is inscribed in the Housing Control Register.

12. Where any person claims that a particular dwelling falls within one of the classes of dwellings

**Burden of proof.**

to which this Part of this Law applies the burden of proving that fact to the satisfaction of the Authority shall be discharged by that person.

Provisions concerning additional classes of dwellings to which this Part applies.

13. The States may, from time to time, by Ordinance make provision for such classes of dwellings as may be specified therein, in addition to the classes specified in section nine of this Law, to be classes of dwellings to which this Part of this Law applies and any such Ordinance shall make provision for the conditions subject to which any class of dwelling specified therein shall be inscribed on, or deleted from, the Housing Control Register.

### PART III

#### *Special licences to occupy certain dwellings*

Prohibition on occupation of dwelling other than one on Register without a licence.

14. A person being the sole owner or the owner jointly with another person of a dwelling for the time being inscribed on the Housing Control Register who—

- (a) possesses the specified residential qualifications, and
- (b) was occupying that dwelling on the twenty-third day of December, nineteen hundred and sixty-eight,

or, after the death of that person, the spouse of that person if living with him at the date of death, shall not occupy any other dwelling in this Island other than a dwelling inscribed in the Housing Control Register otherwise than under a licence granted by the Authority under the provisions of section sixteen of this Law.

Application for a licence to occupy.

15. A person desirous of obtaining a licence under the provisions of the next succeeding section shall make application in that behalf to the Authority

and such application shall be in such form and accompanied by such information as the Authority may, from time to time, require.

16. The Authority may upon receipt of an application under the provisions of the last preceding section— Grant or refusal of licence.

- (a) grant the licence applied for,
- (b) refuse to grant such licence, or
- (c) grant such licence subject to such conditions as the Authority may consider it necessary or expedient to impose.

17. (1) In deciding whether or not, in the exercise of its powers under the provisions of the last preceding section, to grant the licence applied for the Authority shall take into account the following factors:— Factors to be taken into account by the Authority.

- (a) whether the dwelling inscribed in the Housing Control Register which the applicant intends to cease to occupy is one which, if it were not so inscribed and if it were not a dwelling to which Part II of this Law applies, would be likely to be purchased by a person possessing the specified residential qualifications either for his own occupation or for letting to another person possessing the said qualifications for a consideration which, in the opinion of the Authority, would in all the circumstances be fair and reasonable;
- (b) whether the number of dwellings similar by reason of size, cost, or rateable value as inscribed in the Cadastre to a dwelling in respect of which the application is made, which is available for occupation at the time

of the application is sufficient to meet the housing requirements of persons possessing the specified residential qualifications.

(2) Nothing in the last preceding subsection contained shall be taken to preclude the Authority in deciding whether or not, in the exercise of its powers under the provisions of the last preceding section, to grant the licence applied for from taking into account such other factors as the Authority may, from time to time, deem necessary or expedient.

Grant of  
licence to  
occupy  
dwelling  
to be  
constructed.

18. If the Authority refuses to grant to any person a licence in pursuance of the provisions of section sixteen of this Law it shall grant to that person a licence to occupy a dwelling to be constructed by him of such total floor area measured from the interior surface of the exterior walls as the Authority may specify in the licence.

Prohibition  
on occupa-  
tion of  
certain  
dwellings  
owned by  
companies.

19. Notwithstanding any of the other provisions of this Law, a person who does not possess the specified residential qualifications shall not occupy a dwelling—

- (i) of which the rateable value as inscribed in the Cadastre on the thirty-first day of December, nineteen hundred and sixty-two, was, or
- (ii) if no rateable value was so inscribed on that date, the rateable value when first so inscribed was or is,

in excess of fifty pounds sterling per annum if that dwelling is for the time being owned by a body corporate otherwise than under a licence granted by the Authority under the provisions of section twenty-one of this Law.

20. A person desirous of obtaining a licence under the provisions of the next succeeding section shall make application in that behalf to the Authority and such application shall be in such form and accompanied by such information as the Authority may, from time to time, require.

Application for licence to occupy.

21. The Authority may, upon receipt of an application under the provisions of the last preceding section—

Grant or refusal of licence.

- (a) grant the licence applied for,
- (b) refuse to grant such licence, or
- (c) grant such licence subject to such conditions as the Authority may consider it necessary or expedient to impose.

22. (1) In deciding whether or not, in the exercise of its powers under the last preceding section, to grant the licence applied for the Authority shall take into account the factors set out in paragraphs (a), (b) and (c) of subsection (1) of section four of this Law.

Factors to be taken into account by the Authority.

(2) Nothing in the last preceding subsection contained shall be taken to preclude the Authority in deciding whether or not, in the exercise of its powers under the provisions of the last preceding section, to grant the licence applied for from taking into account such other factors as the Authority may, from time to time, deem necessary or expedient.

## PART IV

*Further information, appeals, offences, penalties, interpretation, repeal, citation and commencement*

23. Upon receipt of an application under the provisions of section two, section fifteen or section twenty of this Law, or at any time thereafter, the

Supply of further information.

Authority may require an applicant to supply the Authority with such information, in addition to any information supplied in accordance with the provisions of the said sections respectively, as the Authority may require.

**Appeals.**

24. (1) Any person aggrieved by any decision of the Authority under any of the provisions of this Law may appeal therefrom to the Ordinary Court on the grounds that the decision of the Authority was ultra vires or was an unreasonable exercise of its powers.

(2) Any appeal under this section shall be instituted by way of summons which shall set out the material facts upon which the appellant relies and which shall be served upon the President of the Authority to show cause why the decision appealed from should not be set aside or varied.

(3) On any appeal under this section the burden of satisfying the Ordinary Court that the decision of the Authority which is the subject of the appeal is intra vires or reasonable shall be discharged by the Authority and the Authority shall be entitled to a final right of reply.

**Licences to be personal.**

25. A housing licence or a licence granted under the provisions of Part III of this Law shall be a personal licence and shall not be assignable.

**Occupation by members of household of licensee.**

26. Nothing in this Law contained shall be taken to apply to the occupation of a dwelling by a person as the spouse or a member of the household of a person to whom a housing licence or a licence under the provisions of Part III of this Law has been granted to occupy that dwelling.

27. Nothing in this Law contained shall be taken to apply to the occupation of any dwelling in the possession or ownership of the States. Exceptions.

28. Any notice which may be served for the purposes of this Law shall be validly served— Service of notices.

- (a) on any person, if delivered to him, left, or sent by registered post or by recorded delivery service to him at his usual or last known place of abode;
- (b) on any firm, if delivered to any partner of the firm, or left at, or sent by registered post or by recorded delivery service to, the principal or last known principal place of business of the firm;
- (c) on any body corporate, if left at, or sent by registered post or by recorded delivery service to, its registered office if situate in this Island, or, if its registered office is not so situate, its principal or last known principal place of business in this Island.

29. Any person—

- (a) who knowingly occupies or knowingly causes any other person to occupy or permits any other person to occupy a dwelling in contravention of any of the provisions of this Law;
- (b) who contravenes any condition of a housing licence or a licence granted under the provisions of Part III of this Law;

Offences  
against  
Law.

shall be guilty of an offence and liable, on conviction, to a fine not exceeding five hundred pounds, and, in the case of a continuing offence, to a further fine not exceeding fifty pounds for each day during which the offence continues after conviction.



False  
statements.

30. Any person—

- (a) who, in connection with any application for the grant of a housing licence or a licence under the provisions of Part III of this Law or in connection with an application for the inscription of a dwelling on the Housing Control Register under the provisions of an Ordinance made under this Law, knowingly makes any false statement or recklessly makes any statement which is false in a material particular or produces or furnishes any information which he knows to be false; or
- (b) who knowingly fails to produce or furnish any information which he is required to produce or furnish under the provisions of this Law or any Ordinance made thereunder;

shall be guilty of an offence and liable, on conviction, to a fine not exceeding five hundred pounds.

Certain  
penalties  
to be  
prescribed  
by Ordinance.

31. Save as otherwise expressly provided in the last preceding section, the States may, from time to time, by Ordinance prescribe the penalties which shall be incurred by any person guilty of an offence under any Ordinance made in pursuance of any of the provisions of this Law and different penalties may be so prescribed for different such offences.

Interpreta-  
tion.

32. (1) In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Authority” means the States Housing Authority;

“the Cadastre” means the Cadastre prepared and maintained under the provisions of the Cadastre Law, 1947(a);

“dwelling” means any premises, or any part of any premises, wholly or principally used or usable for the purposes of human habitation and includes any part of such a dwelling;

“the Law of 1948” means the Housing Control (Emergency Provisions) (Guernsey) Law, 1948(b);

“the Law of 1967” means the Housing Control (Guernsey) Law, 1967(c);

“the Ordinary Court” means the Royal Court sitting as an Ordinary Court;

“owner” in relation to any dwelling means—

- (a) where that dwelling is the subject of saisie proceedings which have resulted in the making of an interim vesting order, the person in whose favour such order has been made;
- (b) where that dwelling is not the subject of saisie proceedings but is the subject of a vested right of usufruct, the usufructuary;
- (c) where that dwelling is not the subject of such saisie proceedings or of such right of usufruct—
  - (i) the beneficial owner, if that dwelling is not held in trust, or
  - (ii) the trustees, if that dwelling is held in trust;

“the specified residential qualifications” means the residential qualifications specified in para-

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(a) Ordres en Conseil Vol. XIII, p. 78.

(b) Ordres en Conseil Vol. XIII, p. 262.

(c) No. XIII of 1967.

graph (a) of subsection (1) of section five of this Law.

(2) Except in so far as the context otherwise requires, any reference in this Law to any other enactment shall be construed as a reference to that enactment as repealed and re-enacted, amended, extended or applied by or under any other enactment including this Law.

(3) Any power conferred by this Law to make any Ordinance shall be construed as including a power exercisable in the like manner to vary or repeal the Ordinance.

**Repeal.** 33. The Housing Control (Guernsey) Law, 1967, is hereby repealed.

**Citation.** 34. This Law may be cited as the Housing Control (Guernsey) Law, 1969.

**Commencement and duration.** 35 (1) This Law shall come into force on such date as shall be appointed in that behalf by the States by Ordinance:

Provided that any powers conferred by this Law on the States to make any Ordinance may be exercised at any time after the registration of this Law and before the day appointed or to be appointed as aforesaid, subject to the restriction that any such Ordinance shall not come into force until this Law comes into force.

(2) This Law shall remain in force until the thirty-first day of December, nineteen hundred and seventy-four, or such earlier date as the States may by Ordinance appoint.

R. H. VIDELO,

Her Majesty's Greffier.