

(Registered on the Records on the 7th December, 1976.)

AT THE COURT AT BUCKINGHAM PALACE

The 15th day of November 1976

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

Housing
(Control of
Ownership
and Lease-
holds)
(Guernsey)
Law, 1976.

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 9th day of November 1976, 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 Resolutions of the 31st day of October 1973, the 26th day

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of June 1974, and the 28th day of July 1976, the States of Deliberation at a meeting held on the said 28th day of July 1976, approved a Bill or "Projet de Loi" entitled "The Housing (Control of Ownership and Leaseholds) (Guernsey) Law, 1976", 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. 3. That this Petition supersedes the Petition of the 5th March 1975. 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 of Ownership and Leaseholds) (Guernsey) Law, 1976", 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

1976. 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.

N. E. Leigh.

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

PROJET DE LOI

ENTITLED

(No. XII
—1976)

THE HOUSING (CONTROL OF OWNERSHIP
AND LEASEHOLDS) (GUERNSEY) LAW, 1976.

ARRANGEMENT OF SECTIONS

PART I

Section

Control of ownership and leaseholds of dwellings

1. Ownership, etc. of dwellings by bodies corporate.
2. Ownership, etc. of registered dwellings.
3. Ownership, etc. of unregistered dwellings by persons without a housing licence.
4. Ownership, etc. of unregistered dwellings by persons with a housing licence.
5. Exemptions in respect of acquisition of a dwelling by will or operation of law.
6. Leases to which this Part applies.

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8. Grant or refusal of licence.
9. Savings.
10. Licences as of right to certain bodies corporate.
11. Loss of controlling interest in body corporate to invalidate licence.

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12. Appeals.
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15. Oath of secrecy.
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PROJET DE LOI

ENTITLED

THE HOUSING (CONTROL OF OWNERSHIP AND LEASEHOLDS) (GUERNSEY) LAW, 1976.

THE STATES, in pursuance of their Resolutions of the thirty-first day of October, nineteen hundred and seventy-three, the twenty-sixth day of June, nineteen hundred and seventy-four, and the twenty-eighth day of July, nineteen hundred and seventy-six, 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.

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PART I

Control of ownership and leaseholds of dwellings

Ownership,
etc. of
dwellings
by bodies
corporate.

1. (1) On and after the date of the coming into force of this Law, it shall, subject to the succeeding provisions of this Law, be unlawful for a body corporate—

- (a) to be the owner of a dwelling, or
- (b) to be the lessee of a dwelling for a term of years to which this Part of this Law applies,

otherwise than under and in accordance with a licence granted by the Authority under the provisions of section eight of this Law.

(2) Subject to the succeeding provisions of this Law, a body corporate which, on the date of the coming into force of this Law, is the owner of a dwelling or is the lessee of a dwelling for a term of years to which this Part of this Law applies shall sell or otherwise dispose of the said dwelling or shall surrender or assign the said lease any covenant thereof to the contrary notwithstanding, as the case may require, prior to the expiration of the period of ninety days next following the date of the coming into force of this Law unless prior to the expiration of such period that body corporate has been granted a licence by the Authority under the provisions of section eight of this Law in respect of that dwelling.

Ownership,
etc. of
registered
dwellings.

2. (1) On and after the date of the coming into force of this Law, it shall, subject to the succeeding provisions of this Part of this Law, be unlawful for a person at any time—

- (a) to be the owner of more than one registered dwelling, or
- (b) to be the lessee of more than one registered dwelling for a term of years to which this Part of this Law applies, or

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- (c) to be the owner of a registered dwelling and the lessee of a registered dwelling for a term of years to which this Part of this Law applies,

otherwise than under and in accordance with a licence granted by the Authority under the provisions of section eight of this Law.

(2) Subject to the succeeding provisions of this Law, a person who, on the date of the coming into force of this Law—

- (a) is the owner of more than one registered dwelling, shall sell or otherwise dispose of all except one of those registered dwellings;
- (b) is the lessee of more than one registered dwelling for a term of years to which this Part of this Law applies, shall surrender or assign the lease of all except one of those registered dwellings any covenant thereof to the contrary notwithstanding;
- (c) is the owner of one or more registered dwellings and the lessee of one or more registered dwellings for a term of years to which this Part of this Law applies, shall sell or otherwise dispose of all of those registered dwellings and surrender or assign the lease of all of those registered dwellings any covenant thereof to the contrary notwithstanding except the ownership of one of those registered dwellings or the lease of one of those registered dwellings;

prior to the expiration of the period of ninety days next following the date of the coming into force of this Law save that the provisions of this subsection requiring a person to sell or otherwise dispose of, or surrender or assign the lease of, a registered dwelling shall not apply to a registered dwelling in respect of which that person has, prior to the expiration of such period, been granted a licence

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by the Authority under the provisions of section eight of this Law.

Ownership,
etc. of
unregistered
dwellings by
persons
without
a housing
licence.

3. (1) On and after the date of the coming into force of this Law, it shall, subject to the succeeding provisions of this Law, be unlawful for a person who does not possess the specified residential qualifications and who is not the holder of a housing licence for the time being in force—

- (a) to be the owner of an unregistered dwelling, or
- (b) to be the lessee of an unregistered dwelling for a term of years to which this Part of this Law applies,

otherwise than under and in accordance with a licence granted by the Authority under the provisions of section eight of this Law.

(2) Subject to the succeeding provisions of this Law, a person who does not possess the specified residential qualifications, who is not the holder of a housing licence for the time being in force and who, on the date of the coming into force of this Law—

- (a) is the owner of an unregistered dwelling, or
- (b) is the lessee of an unregistered dwelling for a term of years to which this Part of this Law applies,

shall sell or otherwise dispose of the said unregistered dwelling or shall surrender or assign the said lease any covenant thereof to the contrary notwithstanding, as the case may require, prior to the expiration of the period of ninety days next following the date of the coming into force of this Law unless prior to the expiration of such period that person has been granted a licence by the Authority under the provisions of section eight of this Law in respect of that unregistered dwelling.

4. (1) On and after the date of the coming into force of this Law, it shall, subject to the succeeding provisions of this Law, be unlawful for a person who does not possess the specified residential qualifications but who is the holder of a housing licence for the time being in force—

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Ownership,
etc. of
unregistered
dwellings by
persons
with a
housing
licence.

- (a) to be the owner of an unregistered dwelling other than that in respect of which he holds the housing licence, or
- (b) to be the lessee of an unregistered dwelling for a term of years to which this Part of this Law applies other than that in respect of which he holds the housing licence,

otherwise than under and in accordance with a licence granted by the Authority under the provisions of section eight of this Law.

(2) Subject to the succeeding provisions of this Law, a person who does not possess the specified residential qualifications but who, on the date of the coming into force of this Law—

- (a) is the owner of an unregistered dwelling other than that in respect of which he holds a housing licence for the time being in force, or
- (b) is the lessee of an unregistered dwelling for a term of years to which this Part of this Law applies other than that in respect of which he holds a housing licence for the time being in force,

shall sell or otherwise dispose of the unregistered dwelling or shall surrender or assign the said lease any covenant thereof to the contrary notwithstanding, as the case may require, prior to the expiration of the period of ninety days next following the date of the coming into force of this Law unless prior to the expiration of such period that person has been granted a licence by the Authority under the provisions of section eight of this Law in respect of that unregistered dwelling.

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Exemptions in respect of acquisition of a dwelling by will or operation of law.

5. (1) Notwithstanding anything in this Part of this Law, it shall not be unlawful for a person to be the owner of a dwelling or the lessee of a dwelling for a term of years to which this Part of this Law applies if he becomes the owner or the lessee of that dwelling under the terms of a will or by operation of law.

(2) The provisions of subsection (2) of section two, subsection (2) of section three or subsection (2) of section four of this Law shall not apply to a person who, on the date of the coming into force of this Law, is the owner of a dwelling or is the lessee of a dwelling for a term of years to which this Part of this Law applies if he became the owner or the lessee of that dwelling under the terms of a will or by operation of law.

(3) Notwithstanding anything in this Part of this Law, it shall not be unlawful for a body corporate to be the owner of a dwelling or the lessee of a dwelling for a term of years to which this Part of this Law applies if that body corporate becomes the owner or the lessee of that dwelling under the terms of a will or by operation of law otherwise than as a result of saisie proceedings.

(4) The provisions of subsection (2) of section one of this Law shall not apply to a body corporate which, on the date of the coming into force of this Law, is the owner of a dwelling or is the lessee of a dwelling for a term of years to which this Part of this Law applies if that body corporate became the owner or the lessee of that dwelling under the terms of a will or by operation of law otherwise than as a result of saisie proceedings.

(5) Notwithstanding anything in this Part of this Law, where a body corporate is, on the date of the coming into force of this Law, the owner of a dwelling of which it became the owner as a result of saisie proceedings or where, at any time after the coming

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into force of this Law, a body corporate acquires the ownership of a dwelling as a result of saisie proceedings, the body corporate shall sell or otherwise dispose of the dwelling prior to the expiration of the period of one hundred and eighty days next following the date of the coming into force of this Law or prior to the expiration of the period of one hundred and eighty days next following the date of the acquisition of the ownership of the dwelling as aforesaid, as the case may require, unless prior to the expiration of such period that body corporate has been granted a licence by the Authority under the provisions of section eight of this Law in respect of that dwelling.

6. (1) This Part of this Law applies to a lease of a dwelling—

Leases to
which this
Part
applies.

- (a) which commenced to run prior to the date of the coming into force of this Law if—
 - (i) the unexpired portion of the term thereof current on the date of the coming into force of this Law exceeds five years, or
 - (ii) the unexpired portion of the term thereof current on the said date does not exceed five years but which, under the provisions thereof, may be renewed for a term which exceeds or terms which in the aggregate may exceed five years; or
- (b) which commences to run on or after the date of the coming into force of this Law if—
 - (i) the lease is for a term of years in excess of five years, or
 - (ii) the lease is for a term of years not exceeding five years but which, under the provisions thereof, may be renewed for a term in excess of five

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years or terms in the aggregate which may exceed five years.

(2) A vested right of usufruct of a dwelling for the life of the usufructuary shall be deemed to be a lease for a term of years to which this Part of this Law applies.

PART II

Dwelling licences

Application
for a
licence.

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

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

- (a) by the owner of the dwelling to which the application relates, or
- (b) by the lessee of the dwelling to which the application relates.

Grant or
refusal of
licence.

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

- (a) to a body corporate which, or to a person who, after the date of the coming into force of this Law, is desirous of acquiring as owner a dwelling which, under the provisions of Part I of this Law, it would otherwise be unlawful for that body corporate or that person, as the case may be, to be the owner, to so acquire that dwelling;

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- (b) to the owner of a dwelling which, under the provisions of Part I of this Law, the said owner would, prior to the expiration of the ninety days next following the date of the coming into force of this Law, otherwise be required to sell or otherwise dispose of, to continue to be the owner of that dwelling;
- (c) to a body corporate which, or to a person who, after the date of the coming into force of this Law, is desirous of acquiring the lease of a dwelling for a term of years to which Part I of this Law applies and which, under the provisions of Part I of this Law, it would otherwise be unlawful for that body corporate or that person, as the case may be, to be the lessee, to acquire that lease;
- (d) to the lessee of a dwelling for a term of years to which Part I of this Law applies which, under the provisions of Part I of this Law, the said lessee would, prior to the expiration of the period of ninety days next following the date of the coming into force of this Law, otherwise be required to surrender or assign, to continue to be the lessee of the said dwelling.

(2) The Authority may attach to the grant of a dwelling licence such conditions as it may deem necessary or expedient to impose including a condition specifying the maximum time during which the dwelling in respect of which the licence is granted may be owned or continue to be owned or leased or continue to be leased by the body corporate or person, as the case may be, to whom the licence is granted.

(3) The Authority may, subject to the provisions of the next succeeding section, upon receipt of an application under the provisions of the last

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preceding section, refuse to grant a dwelling licence in respect of the dwelling to which the application relates.

Savings.

9. Upon the receipt of an application under the provisions of section seven of this Law by the owner or lessee of a dwelling the Authority shall grant a dwelling licence under the provisions of paragraph (b) or paragraph (d) of subsection (1) of section eight of this Law, as the case may be, if the said owner or the said lessee—

- (a) was the owner or lessee of the dwelling immediately prior to the eighth day of October, nineteen hundred and seventy three, and has been the owner or the lessee, as the case may be, thereof continuously during the period commencing on the said date and ending on the date of the application for the dwelling licence, and
- (b) is a body corporate in which, on the eighth day of October, nineteen hundred and seventy-three, a person had the controlling interest and that person has had the controlling interest in the said body corporate continuously during the period commencing on the said date and ending on the date of the application for the dwelling licence.

Licences as
of right
to certain
bodies
corporate.

10. (1) The States may, from time to time, by Ordinance prescribe the classes or descriptions of bodies corporate or the categories of bodies corporate within those classes or descriptions to which dwelling licences shall be granted under the provisions of section eight of this Law.

(2) Upon the receipt of an application under the provisions of this Law by a body corporate of any class, description or category prescribed by any

Ordinance made under the provisions of the last preceding subsection the Authority shall grant to the body corporate a dwelling licence under the provisions of subsection (1) of section eight of this Law and may attach to such licence such conditions as it may deem necessary or expedient to impose under the provisions of subsection (2) of the said section eight.

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11. If a person has, on the date of the grant of a dwelling licence to a body corporate under the provisions of section eight of this Law, the controlling interest in that body corporate and thereafter ceases to have the controlling interest in that body corporate, that dwelling licence shall thereupon cease to be valid and shall be of no effect for the purposes of Part I of this Law.

Loss of
controlling
interest
in body
corporate to
invalidate
licence.

PART III

General, appeals, offences and miscellaneous

12. (1) Any person aggrieved by a decision of the Authority under any of the provisions of this Law may appeal therefrom to the Royal Court on the grounds that:—

Appeals.

- (a) the decision of the Authority was ultra vires or was an unreasonable exercise of its powers; or
- (b) the decision of the Authority to attach a condition to the grant of a dwelling licence under the provisions of section eight of this Law to a body corporate of any class, description or category prescribed by any Ordinance made under the provisions of subsection (1) of section ten of this Law made the said dwelling licence inoperative for the purposes of the body corporate.

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(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 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 Royal Court that the decision of the Authority which is the subject of the appeal:—

- (a) is intra vires or reasonable; or
- (b) did not make the dwelling licence concerned inoperative for the purposes of the body corporate;

shall be discharged by the Authority and the Authority shall be entitled to a final right of reply.

States not
bound by
this Law.

13. Nothing in this Law contained shall be taken to prohibit the States acquiring the ownership or lease of a dwelling or continuing to be the owner or the lessee of a dwelling without obtaining a dwelling licence in respect of that dwelling.

Service of
notices.

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

- (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.

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15. The oath taken by any person under the provisions of section eighty-five of the Income Tax (Guernsey) Law, 1950, shall apply to any official function discharged in the execution of this Law as if such function were a function discharged under the provisions of the said Income Tax Law:

Oath of
secrecy.

PROVIDED that nothing in this section shall preclude the Administrator or the Assistant Administrator from disclosing to the Authority such information as they may require in respect of any person who has the controlling interest in any body corporate.

16. Any person:—

Offences.

- (a) who contravenes any of the provisions of Part I of this Law or who contravenes any conditions of a dwelling licence;
- (b) who, in connection with any application for the grant of a dwelling licence, knowingly makes any false statement or recklessly makes any statement which is false in a material particular or knowingly produces or furnishes any false information or recklessly produces or furnishes any information which is false in a material particular; or
- (c) who knowingly fails to produce or furnish any information which he is required to produce or furnish under the provisions of this Law;

shall be guilty of an offence and liable, on conviction, to a fine not exceeding one thousand pounds, and, in the case of a continuing offence, to a further fine not exceeding one hundred pounds for each

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day during which the offence continues after conviction.

Sale of dwellings and termination of leases after conviction.

17. (1) Where the owner of a dwelling is convicted of an offence which consists of a contravention of any of the provisions of Part I of this Law and does not sell or otherwise dispose of the dwelling to which the conviction relates as soon as may be after the date of the conviction Her Majesty's Procurer shall, at the request of the Authority, apply to the Royal Court sitting as an Ordinary Court (hereafter in this section referred to as "the Ordinary Court") for an order appointing Her Majesty's Sheriff as judicial attorney of the convicted person and directing him:—

- (a) to sell the dwelling to which the conviction relates by public auction before Commissioners of the Royal Court and to convey the same; and
- (b) to deduct from the amount realised by such sale any fees, charges and other expenses incurred in connection with the sale and any profits tax due on the profit accruing from the sale, to discharge each and every charge secured upon the dwelling and to pay the net proceeds of such sale to the convicted person.

(2) Where the lessee of a dwelling is convicted of an offence which consists of a contravention of any of the provisions of Part I of this Law the lease of the dwelling to which the conviction relates shall terminate on the date of such conviction and the lessor shall thereupon be entitled to possession.

(3) The termination of a lease of a dwelling under and by virtue of the provisions of the last preceding subsection shall be without prejudice to any rights which accrued to the lessor of the dwelling under the lease prior to the date of such termination.

(4) Where the lease of a dwelling is terminated under and by virtue of subsection (2) of this section, the Ordinary Court may, on the application of any person claiming as sub-lessee any interest in the dwelling or any part thereof, make an order vesting, for the whole term of the lease terminated as aforesaid or any less term, the dwelling comprised in the said lease or any part thereof in any person entitled as sub-lessee any interest in such dwelling upon conditions as to the execution of any document, payment of rent, costs, expenses, damages, compensation, giving security or otherwise, as the Ordinary Court in the circumstances of each case may think fit, but in no case shall any such sub-lessee be entitled to require a lease to be granted to him for any longer term than he had under his original sub-lease.

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18. Where a person who is convicted of an offence under this Law is a body corporate every person who at the time of the commission of the offence was a director or officer of the body corporate or was purporting to act in any such capacity shall be deemed to be guilty of that offence unless he proves he exercised all due diligence to prevent the commission of the offence.

Offences by
bodies
corporate.

19. 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.

Variation
and repeal
of Ordin-
ances.

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

Interpreta-
tion.

“the Administrator” means the Administrator referred to in section eighty-four of the Income Tax (Guernsey) Law, 1950, and the

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expression "Assistant Administrator" shall be construed accordingly;

"the Authority" means the States Housing Authority;

"the controlling interest" means in relation to a body corporate—

(a) the power of a person to secure, by means of the holding of shares or by the possession of voting power in or in relation to that or any other body corporate, or by virtue of any powers conferred by the Articles of Association or other document regulating that or any other body corporate, that the affairs of the first mentioned body corporate are conducted in accordance with the wishes of that person;

(b) the power of a person who is a loan creditor of a body corporate and who is, in the opinion of the Administrator, able to exercise that power to secure that the affairs thereof are conducted in accordance with the wishes of that person;

"dwelling" means any premises, or any part of any premises, wholly used or usable for the purposes of human habitation and includes—

(a) a flat, and

(b) the curtilage of a dwelling which the occupier of the dwelling has for his own occupation or enjoyment with that dwelling,

but does not include any premises in respect of which there is for the time being in force a boarding permit under the provisions of the Tourist Law, 1948;

"flat" means a separate and self-contained set of premises constructed for the purposes of

a dwelling and forming part of a building from some other part of which it is divided horizontally;

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“housing licence” means a licence for the time being in force and granted under the provisions of—

- (a) section two or Part III of the Law, or
- (b) section two of the Housing Control (Guernsey) Law, 1967, or
- (c) section one of the Housing Control (Emergency Provisions) (Guernsey) Law, 1948;

“the Law” means the Housing Control (Guernsey) Law, 1969;

“lease” includes a sub-lease;

“lessee” includes a sub-lessee, any person deriving title under a sub-lessee, any person deriving title under a “Droit d’Habitation” and, where a dwelling is subject to a vested right of usufruct for the life of the usufructuary, the usufructuary;

“owner” includes, in relation to a dwelling which is held in trust, the trustees and the cestui que trust and the expression “ownership” shall be construed accordingly;

“person” means, except in sections seventeen, eighteen and nineteen of this Law, a natural person and does not include a body corporate;

“Her Majesty’s Procureur” includes Her Majesty’s Comptroller;

“profits tax” means the tax chargeable under the provisions of the Dwellings Profits Tax (Guernsey) Law, 1975;

“registered dwelling” means a dwelling inscribed in the Housing Control Register established and maintained under the provisions of the Law and includes any dwelling treated by the Authority as a concession dwelling;

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“the specified residential qualifications” means the qualifications specified in paragraph (a) or (b) of subsection (1) of section five of the Law;

“unregistered dwelling” means any dwelling other than a registered dwelling.

(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 amended, repealed and replaced, extended or applied by or under any other enactment including this Law.

(3) Any reference in this Law to any provision of the Law shall be construed as a reference to the corresponding provision in any Law repealing and replacing the Law.

(4) Any reference in this Law to a body corporate which is the owner of a dwelling or which is the lessee of a dwelling shall include a reference to bodies corporate which are the joint owners or the joint lessees of a dwelling.

(5) Any reference in this Law to a person who is the owner of a dwelling or who is the lessee of a dwelling shall include a reference to persons who are the joint owners or joint lessees of a dwelling.

Citation.

21. This Law may be cited as the Housing (Control of Ownership and Leaseholds) (Guernsey) Law, 1976.

Commence-
ment.

22. This Law shall come into force on such day as shall be appointed in that behalf by Ordinance of the States.