



Jersey

**FAMILY NURSING SERVICES AND JERSEY
HOME HELPS (AMALGAMATION) (JERSEY)
LAW 1993**

Official Consolidated Version

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FAMILY NURSING SERVICES AND JERSEY HOME HELPS (AMALGAMATION) (JERSEY) LAW 1993

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Jersey

FAMILY NURSING SERVICES AND JERSEY HOME HELPS (AMALGAMATION) (JERSEY) LAW 1993

A LAW to carry into effect the amalgamation of Family Nursing Services (Jersey) Incorporated and The Jersey Home Helps Society for the Sick and Aged and to provide for other purposes incidental thereto and consequential thereon

Commencement [[see endnotes](#)]

WHEREAS –

- (1) Family Nursing Services (Jersey) Incorporated (hereinafter referred to as “Family Nursing Services”) is an incorporated association having been incorporated under the provisions of the Family Nursing Services (Jersey) Law 1986;
- (2) the principal objects of Family Nursing Services are to provide skilled nursing for the sick in their homes without distinction of nationality or creed and to give advice on all matters connected with the care of infants, children, handicapped persons, elderly persons and persons suffering from illness or disease;
- (3) The Jersey Home Helps Society for the Sick and Aged (hereinafter referred to as “the Jersey Home Helps”) is an association incorporated by Act of the Royal Court dated the 14th day of September one thousand nine hundred and seventy-three having as its object the provision of help in the homes of the sick and aged persons living in Jersey;
- (4) it is expedient and in the interests of the efficient and effective pursuit of the objects of Family Nursing Services and the Jersey Home Helps that Family Nursing Services and the Jersey Home Helps should combine and the most effective way of achieving this is for Family Nursing Services and the Jersey Home Helps to amalgamate to form a new association and that the said new association be called Family Nursing and Home Care (Jersey) Incorporated (hereinafter referred to as “the Association”);
- (5) it is further expedient that the Association be incorporated by Act of the States;
- (6) it is further expedient that the amalgamation and the incorporation mentioned in paragraphs (4) and (5) should be effected as provided in this Law;
- (7) it is further expedient that future amalgamations with the Association of associations or bodies having similar objects to the Association be effected by the States by Regulations;

NOW THEREFORE, the States, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

1 Interpretation

In this Law, unless the context otherwise requires –

“appointed day” means such day as the States shall by Act appoint;¹

“liabilities” includes duties and obligations of every description;

“property” means property of every description including immovable property, wherever situate, and includes securities, rights and powers of every description;

“security” means hypothec (whether legal, judicial or conventional), charge, security interest, debenture, bill of exchange, promissory note, guarantee, lien, pledge or other means of securing payment of a debt, whether present or future, or in the discharge of an obligation or liability, whether actual or contingent.

2 Amalgamation

On the appointed day Family Nursing Services and the Jersey Home Helps shall by virtue of this Law combine and amalgamate to form the Association to the intent that the Association shall succeed to all the property and liabilities of Family Nursing Services and the Jersey Home Helps and shall have the following objects –

- (1) to provide skilled nursing for the sick in their homes;
- (2) to give advice and assistance on matters relating to the health and well-being of people of all ages in Jersey;
- (3) to provide such other care and services in Jersey as the Association may from time to time think fit;
- (4) to carry on those activities and provide those services hitherto carried on and provided by Family Nursing Services and the Jersey Home Helps;
- (5) to acquire by way of purchase, acceptance of a gift, devise or bequest, or by lease or otherwise, any movable or immovable property which may be necessary, requisite or desirable either directly or indirectly for the promotion of the activities of the Association, and further, to do all things including borrowing money as may be incidental to, or connected with, any of the said objects or conducive to the attainment thereof.

3 Incorporation

The Association shall be and remain incorporated under the title of Family Nursing and Home Care (Jersey) Incorporated so that, thus constituted, it shall have a successive and perpetual duration in the person of its present and future members, that it shall have the right to have and use a special seal in order to authenticate all of its deeds, contracts, agreements and obligations, that it shall have the right to take, acquire, hold and possess all types of movable and immovable property and to receive, hold and possess all types of bequests and devises of movable and immovable property which shall be capable of being made to it and to lease, sell or otherwise alienate, hypothecate or otherwise dispose of the

said property and to appear before all Courts and all tribunals, all the aforementioned through the medium of its officers or other persons authorized by the Association.

4 Rules and Constitution

The Association may not make alterations or additions to its Rules and Constitution without the consent of the Royal Court in accordance with the provisions of the [Loi \(1862\) sur les teneures en fidéicommiss et l'incorporation d'associations](#).

5 Provisions relating to the amalgamation and to the acquisition of property and liabilities

- (1) The production of a copy of this Law signed by the Greffier of the States shall, on and after the appointed day, be conclusive evidence in all Courts and proceedings of the amalgamation of Family Nursing Services and the Jersey Home Helps to form the Association and of the acquisition of the property and liabilities of Family Nursing Services and the Jersey Home Helps by the Association and their vesting in the Association.
- (2) The Royal Court shall, when it orders the registration of this Law, also order the registration of a copy of this Law signed by the Greffier of the States in the Public Registry of Contracts.
- (3) The registration of a copy of this Law in the Public Registry of Contracts shall have like effect as a contract passed before the Royal Court and the title to any property vested in or belonging to or held by Family Nursing Services and the Jersey Home Helps which immediately before the appointed day was registered in the Public Registry of Contracts shall vest in, belong to and be held by the Association on and after the appointed day.
- (4) No fees shall be payable under the [Departments of the Judiciary and the Legislature \(Jersey\) Law 1965](#), in relation to the registration of a copy of this Law as required by paragraph (2).
- (5) For the avoidance of doubt it is declared that the transfer of an interest in land under and by virtue of this Law shall not constitute an assignment, transfer, devolution, parting with possession or other disposition of that interest for the purposes of any provision relating to assignment, transfer, devolution, parting with possession or other disposition in any instrument concerning that interest.

6 Saving of contracts etc.

- (1) Subject to paragraph (2), all contracts, agreements, indemnities, conveyances, leases, deeds, settlements, wills, codicils to wills, licences, and other instruments or undertakings entered into by or made with or addressed to Family Nursing Services or the Jersey Home Helps (whether alone or with any other person) before and in force on the appointed day shall as from that day be binding and of full force and effect in every respect against or in favour of the Association as fully and effectually as if, instead of Family Nursing Services or the Jersey Home Helps, the Association had been a party thereto or bound thereby or entitled to the benefit thereof.

- (2) In relation to every contract of employment to which paragraph (1) applies, that paragraph shall operate to substitute the Association for whichever of Family Nursing Services or the Jersey Home Helps was the employer thereunder immediately before the appointed day.

7 Actions, etc. not to abate

Any action, arbitration or proceeding and any cause of action, arbitration or proceeding which shall on the appointed day be pending or existing by, against or in favour of Family Nursing Services or the Jersey Home Helps shall not abate or be discontinued or be in any way prejudicially affected by reason of the provisions of this Law, but the same may be prosecuted, continued and enforced by, against or in favour of the Association as and when it might have been prosecuted, continued and enforced by, against or in favour of Family Nursing Services or the Jersey Home Helps as if this Law had not been passed.

8 Documents, etc. to remain evidence

All documents, records and admissions which if this Law had not been passed would have been evidence in respect of any matter for or against Family Nursing Services or the Jersey Home Helps shall, on and after the appointed day, be admitted in evidence in respect of the same or the like manner for or against the Association.

9 Application of enactments and documents

- (1) Subject to this Article where –
- (a) any enactment other than this Law; or
 - (b) any document whensoever made or executed,
- contains any reference express or implied to Family Nursing Services or the Jersey Home Helps such reference shall, on and after the appointed day and except where the context otherwise requires, be read, construed and have effect as a reference to the Association.
- (2) Any will or codicil to a will made before, on or after the appointed day by a person dying on or after the appointed day by which Family Nursing Services or the Jersey Home Helps is a beneficiary thereof shall be construed and have effect as if for any reference therein to Family Nursing Services or the Jersey Home Helps there was substituted a reference to the Association and, in the case where the Association did not exist at the day of the will or codicil, as if it had then existed.

10 Regulations

- (1) The States may, at the request of the Association, by Regulations –
- (a) change the –
 - (i) name of the Association, and
 - (ii) objects of the Association, where that change is desirable for the better carrying out of the aims of the Association; and

- (b) effect the amalgamation of the Association, or its successor from time to time, with any other association or body, whether or not incorporated, engaged in the care of the community in Jersey.
- (2) Regulations made in pursuance of paragraph (1)(b) may apply the provisions of this Law to such a newly amalgamated association.

11 Dissolution of Family Nursing Services and the Jersey Home Helps

On the day after the appointed day Family Nursing Services and the Jersey Home Helps shall by virtue of this Law be dissolved.

12 Citation

This Law may be cited as the Family Nursing Services and Jersey Home Helps (Amalgamation) (Jersey) Law 1993.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Family Nursing Services and Jersey Home Helps (Amalgamation) (Jersey) Law 1993	L.24/1993	8 November 1993

Table of Renumbered Provisions

Original	Current
1(1)	1
1(2), (3)	spent, omitted from this revised edition
12	spent, omitted from this revised edition
13	12

Table of Endnote References

¹

the appointed day is 1 January 1994 (R&O.8616)