STATUTORY NUISANCES (JERSEY) LAW 1999

Official Consolidated Version

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STATUTORY NUISANCES (JERSEY) LAW 1999

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Jersey

STATUTORY NUISANCES (JERSEY) LAW 1999[1]

A LAW to provide for statutory nuisances; for procedures for dealing with them; and for connected purposes

Commencement [see endnotes]

1 Interpretation

(1) In this Law, unless the context otherwise requires –

"abatement notice" has the meaning assigned to it by Article 5(1);

"authorized person" means any person authorized by the Minister for the purposes of discharging any or all of the functions contained in this Law;

"best practicable means" is to be interpreted by reference to the following provisions –

(a) "practicable" means reasonably practicable having regard among other things to local conditions and circumstances, to the current state of technical knowledge and to the financial implications;

(b) the means to be employed include the design, installation, maintenance and manner and periods of operation of plant and machinery, and the design, construction and maintenance of buildings and structures;

(c) the test is to apply only so far as compatible with any duty imposed by law;

(d) the test is to apply only so far as compatible with safety and safe working conditions, and with the exigencies of any emergency or unforeseeable circumstances;

"chimney" includes structures or openings of any kind from or through which smoke may be emitted;

"Court" means the Royal Court;

"dust" does not include dust emitted from a chimney as an ingredient of smoke;

"equipment" includes a musical instrument;

"fumes" means any airborne solid matter smaller than dust;

"gas" includes vapour and moisture precipitated from vapour;

"industrial, agricultural, trade or business premises" means premises used for any industrial, agricultural, trade or business purposes or premises not so used on which matter is burnt in connection with any industrial, agricultural, trade or business process, and premises are used for industrial purposes where they are used for the purposes of any treatment or process as well as where they are used for the purposes of manufacturing;

"injury to health" includes any impairment whether permanent or temporary;

"Minister" means the Minister for Planning and Regulation;

"noise" includes vibration;

"person responsible" –

(a) in relation to a statutory nuisance, means the person to whose act, default or sufferance the nuisance is attributable;

(b) in relation to a vehicle, includes the owner whose vehicle is for the time being registered under the Motor Vehicle Registration (Jersey) Law 1993 and any other person who is for the time being the driver of the vehicle;

(c) in relation to machinery or equipment, includes any person who is for the time being the operator of the machinery or equipment;

"police officer" means a member of the Honorary Police or the States of Jersey Police Force;

"prejudicial to health" means injurious, or likely to cause injury, to health;

"premises" includes land and any vessel;

"private dwelling" means any building, or part of a building, used or intended to be used, as a dwelling;

"smoke" includes soot, ash, grit, and gritty particles emitted in smoke;

"statutory nuisance" has the meaning assigned to it by Article 2;

"street" means any public road, any other road to which the public has access, any of the roads on the Rue des Près Trading Estate, any bridge over which a road passes, any road privately maintained and any sea beach;

"water supply" includes public and private water supplies.[2]

(2) In this Law, references to premises and the occupier of premises include respectively a vessel and the master of a vessel.

2 Matters constituting statutory nuisances

(1) Subject to paragraphs (2) and (3), the following matters constitute "statutory nuisances" for the purposes of this Law –

(a) any premises in such a state as to be prejudicial to health or a nuisance;

(b) smoke emitted from premises so as to be prejudicial to health or a nuisance;

(c) fumes or gas emitted from premises so as to be prejudicial to health or a nuisance;

(d) light energy emitted from premises so as to be prejudicial to health or a nuisance;

(e) any dust, steam, smell, or other effluvia arising on or emanating from industrial, agricultural, trade or business premises or resulting from processes conducted on such premises and being prejudicial to health or a nuisance;

(f) any accumulation or deposit which is prejudicial to health or a nuisance;

(g) any animal, bird, insect, reptile or fish kept in such a place or manner as to be prejudicial to health or a nuisance;

(h) noise emitted from premises so as to be prejudicial to health or a nuisance;

(i) noise emitted from or caused by a vehicle, machinery or equipment in a street so as to be prejudicial to health or a nuisance;

(j) any well, tank, cistern, water-butt or other water supply howsoever constructed which is used for the supply of water for domestic purposes which is so placed, constructed or kept or maintained as to render the water therein liable to contamination prejudicial to health;

(k) any pond, pool, ditch, gutter or watercourse which is so foul or in such a state as to be prejudicial to health or a nuisance;

(l) any tent, van, shed or similar structure used for human habitation which is in such a state, or so overcrowded, as to be prejudicial to the health of the inmates, or the use of which, by reason of the absence of proper sanitary accommodation or otherwise, gives rise, whether on the site or on other land, to a nuisance or to conditions prejudicial to health;

(m) any other matter constituting a statutory nuisance by virtue of Regulations made under Article 3.

(2) Paragraph (1)(c) does not apply in relation to premises other than private dwellings.

(3) Paragraph (1)(h) does not apply to noise caused by aircraft other than model aircraft.

(4) Paragraph (1)(i) does not apply to noise made by –

(a) traffic;

(b) any naval, military or air force of the Crown; or

(c) a political demonstration or a demonstration supporting or opposing a cause or campaign.

3 Power to extend statutory nuisances

(1) The States may by Regulations modify the list of statutory nuisances set out in Article 2.

(2) Regulations under paragraph (1) may state whether and in what circumstances it shall be a defence to prove that the best practical means were used to prevent or counteract the effect of a nuisance so added or amended.

4 Functions of the Minister

(1) The Minister shall have the powers conferred on him or her by this Law and the duty to take such steps as are reasonably practical to investigate a complaint of statutory nuisance made to the Minister.

(2) The Minister may cause inspections to be made to detect the presence or existence of any statutory nuisance in respect of which no complaint has been made to him or her.

5 Proceedings for statutory nuisances

(1) Where the Minister is satisfied that a statutory nuisance exists, or is likely to occur or recur, the Minister shall serve a notice (in this Law referred to as an "abatement notice") imposing all or any of the following requirements –

(a) requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence;

(b) requiring the execution of such works, and the taking of such other steps, as may be necessary for any of those purposes.

(2) The abatement notice shall –

(a) specify the time or times within which the requirements of the notice are to be complied with; and

(b) include a statement –

(i) indicating that an appeal against the notice lies, and

(ii) specifying the time within which it must be brought.

(3) Subject to Article 6(1), the abatement notice shall be served –

(a) except in a case falling within sub-paragraph (b) or (c), on the person responsible for the nuisance;

(b) where the nuisance arises from any defect of a structural character, on the owner of the premises;

(c) where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, on the owner or occupier of the premises.

(4) If a person on whom an abatement notice is served, without reasonable excuse, contravenes or fails to comply with any requirement or prohibition imposed by the notice, the person shall be guilty of an offence.

(5) Subject to paragraph (6), a person who commits an offence under paragraph (4) shall be liable to a fine together with a further fine of level 2 on the standard scale for each day on which the offence continues after conviction for that offence.[3]

(6) A person who commits an offence under paragraph (4) on industrial, agricultural, trade or business premises shall be liable to a fine.

(7) Subject to paragraph (8), in any proceedings for an offence under paragraph (4) in respect of a statutory nuisance, it shall be a defence to prove that the best practicable means were used to prevent, or to counteract the effects of, the nuisance.

(8) The defence under paragraph (7) is not available –

(a) in the case of a statutory nuisance falling within Article 2(1)(a), (d), (e), (f), (g) or (h), except where the nuisance arises on industrial, agricultural, trade or business premises;

(b) in the case of a statutory nuisance falling within Article 2(1)(i), except where the noise is emitted from or caused by a vehicle, machinery or equipment being used for industrial, agricultural, trade or business purposes;

(c) in the case of a statutory nuisance falling within Article 2(1)(b), except where the smoke is emitted from a chimney; and

(d) in the case of a statutory nuisance falling within Article 2(1)(c).

6 Abatement notice in respect of noise in street

(1) In the case of a statutory nuisance within Article 2(1)(i) that –

(a) has not yet occurred; or

(b) arises from noise emitted from or caused by an unattended vehicle or unattended machinery or equipment,

the abatement notice shall be served in accordance with paragraph (2).

(2) The notice shall be served –

(a) where the person responsible for the vehicle, machinery or equipment can be found, on that person;

(b) where that person cannot be found or where the Minister determines that this paragraph should apply, by fixing the notice to the vehicle, machinery or equipment.

(3) Where –

(a) an abatement notice is served in accordance with paragraph (2)(b) by virtue of a determination of the Minister; and

(b) the person responsible for the vehicle, machinery or equipment can be found and served with a copy of the notice within an hour of the notice being fixed to the vehicle, machinery or equipment,

a copy of the notice shall be served on that person accordingly.

(4) Where an abatement notice is served in accordance with paragraph (2)(b) by virtue of a determination of the Minister, the notice shall state that, if a copy of the notice is subsequently served under paragraph (3), the time specified in the notice as the time within which its requirements are to be complied with is extended by such further period as is specified in the notice.

(5) Where an abatement notice is served in accordance with paragraph (2)(b), the person responsible for the vehicle, machinery or equipment may appeal against the notice as if the person had been served with the notice on the date on which it was fixed to the vehicle, machinery or equipment.

(6) Article 5(4) shall apply in relation to a person on whom a copy of an abatement notice is served under paragraph (3) as if the copy were the notice itself.

(7) A person who removes or interferes with a notice fixed to a vehicle, machinery or equipment in accordance with paragraph (2)(b) shall be guilty of an offence, unless

the person is the person responsible for the vehicle, machinery or equipment or the person does so with the authority of that person.

(8) A person who commits an offence under paragraph (7) shall be liable to a fine not exceeding level 2 on the standard scale.

7 Supplementary provisions

(1) Subject to paragraph (2), where more than one person is responsible for a statutory nuisance, Article 5 shall apply to each of those persons whether or not what any of them is responsible for would by itself amount to a nuisance.

(2) In relation to a statutory nuisance within Article 2(1)(i) for which more than one person is responsible (whether or not what any one of those persons is responsible for would by itself amount to such a nuisance), Article 5(3)(a) shall apply with the substitution of "any one of the persons" for "the person".

(3) In relation to a statutory nuisance within Article 2(1)(i) caused by noise emitted from or caused by an unattended vehicle or unattended machinery or equipment for which more than one person is responsible, Article 6 shall apply with the substitution –

(a) in paragraph (2)(a), of "any one of the persons" for "the person" and of "one such person" for "that person";

(b) in paragraph (2)(b), of "such a person" for "that person";

(c) in paragraph (3), of "any of the persons" for "the person" and of "one such person" for "that person";

(d) in paragraph (5), of "any person" for "the person"; and

(e) in paragraph (7), of "a person" for "the person" and of "such a person" for "that person".

(4) Where an abatement notice has not been complied with, the Minister may, whether or not proceedings are taken for an offence under Article 5(4), abate the nuisance and do whatever may be necessary in execution of the notice.

(5) Any expenses reasonably incurred by the Minister in abating, or preventing the recurrence of, a statutory nuisance under paragraph (4) shall be recoverable as a civil debt from the person or persons by whose act or default the nuisance was caused, and the Court may apportion expenses between persons by whose acts or defaults the nuisance is caused, in such manner as the Court considers fair and reasonable.

(6) If the Minister is of the opinion that proceedings for an offence under Article 5(4) would afford an inadequate remedy in the case of any statutory nuisance, the Minister may take proceedings in the Court for the purpose of securing the abatement, prohibition or restriction of the nuisance, and the proceedings shall be maintainable notwithstanding that the public has suffered no damage from the nuisance.

8 Proceedings by persons aggrieved by statutory nuisances committed by the Minister

(1) The Court may act under this Article on a representation made by any person on the ground that the person is aggrieved by the existence of a statutory nuisance for which the Minister is responsible.

(2) If the Court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises or, in the case of a nuisance within Article 2(1)(i), in the same street, the Court may make an order for either or both of the following purposes –

(a) requiring the Minister to abate the nuisance, within a time specified in the order, and to execute any works necessary for that purpose;

(b) prohibiting a recurrence of the nuisance, and requiring the Minister, within a time specified in the order, to execute any works necessary to prevent the recurrence.

(3) If the Court is satisfied that the alleged nuisance exists and is such as, in the opinion of the Court, to render premises unfit for human habitation, an order under paragraph (2) may prohibit the use of the premises for human habitation until the premises are, to the satisfaction of the Court, rendered fit for that purpose.

9 Appeals and compensation

(1) A person aggrieved by the service of an abatement notice has a right of appeal in the manner and on a ground set out in the Schedule and the Schedule shall have effect with regard to such appeals.

(2) Where, pursuant to an appeal under this Article, an abatement notice is cancelled or modified, the Court shall have power to award compensation to the appellant.

10 Powers of entry to premises etc.

(1) Subject to paragraph (2), any authorized person may, on production, if so required, of the person's authority, enter any premises at any reasonable time –

(a) if the authorized person suspects, on reasonable grounds, that a statutory nuisance exists or will exist on those premises;

(b) for the purpose of taking any action, or executing any work, authorized or required by this Law.

(2) Admission by virtue of paragraph (1) to any premises used wholly or mainly for residential purposes shall not except in an emergency be demanded as of right unless 24 hours notice of the intended entry has been given to the occupier.

(3) If it is shown to the satisfaction of the Bailiff by information on oath that –

(a) admission to any premises has been refused, or that refusal is apprehended, or that the premises are unoccupied or that the occupier is temporarily absent, or that the case is one of emergency, or that an application for admission would defeat the object of the entry; and

(b) there is reasonable ground for entry into the premises for the purpose for which entry is required,

the Bailiff may issue a warrant under this Article authorizing the Minister by any authorized person to enter the premises, if need be by force.

(4) An authorized person entering any premises by virtue of paragraph (1) or a warrant under paragraph (3) may –

(a) take with the authorized person such other person and such equipment as the authorized person considers necessary;

(b) carry out such inspections, measurements and tests as the authorized person considers necessary for the discharge of any of the Minister's functions under this Law; and

(c) take away such samples or articles as the authorized person considers necessary for that purpose.

(5) On leaving any unoccupied premises which the authorized person has entered by virtue of paragraph (1) or a warrant under paragraph (3) the authorized person shall leave them as effectively secured against unauthorized entry as the authorized person found them.

(6) A warrant issued in pursuance of paragraph (3) shall continue in force until the purpose for which the entry is required has been satisfied.

(7) Any reference in this Article to an emergency is a reference to a case where the person requiring entry has reasonable cause to believe that circumstances exist which are likely to endanger life or health and that immediate entry is necessary to verify the existence of those circumstances or to ascertain their cause and effect a remedy.

11 Powers of entry to vehicles, machinery or equipment

(1) Any authorized person may, on production, if so required, of the authorized person's authority –

(a) enter or open a vehicle, machinery or equipment, if necessary by force; or

(b) remove a vehicle, machinery or equipment from a street to a secure place,

for the purpose of taking any action, or executing any work, authorized by or required under this Law in relation to a statutory nuisance within Article 2(1)(i) caused by noise emitted from or caused by the vehicle, machinery or equipment.

(2) Subject to paragraph (3), on leaving any unattended vehicle, machinery or equipment that the authorized person has entered or opened under paragraph (1), the authorized person shall leave it secured against interference or theft in such a manner and as effectually as the authorized person found it.

(3) If the authorized person is unable to comply with paragraph (2), the authorized person shall for the purpose of securing the unattended vehicle, machinery or equipment either –

(a) immobilise it by such means as the authorized person considers expedient; or

(b) remove it from the street to a secure place.

(4) In carrying out any function under paragraph (1), (2) or (3), the authorized person shall not cause more damage than is necessary.

(5) Before a vehicle, machinery or equipment is entered, opened or removed under paragraph (1), the Minister shall notify a police officer of the intention to take action under that paragraph.

(6) After a vehicle, machinery or equipment has been removed under paragraph (1) or (3), the Minister shall notify a police officer of its removal and current location.

(7) For the purposes of Article 7(5), any expenses reasonably incurred by the Minister under paragraph (2) or (3) shall be treated as incurred by the Minister under Article 7(4) in abating or preventing the recurrence of the statutory nuisance in question.

12 Offences relating to entry

(1) A person who wilfully obstructs any person acting in the exercise of any powers conferred by Article 10 or 11 shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.

(2) If a person discloses any information relating to any trade secret obtained in the exercise of any powers conferred by Article 10 or 11, the person shall, unless the disclosure was made in the performance of the person's duty, or with the consent of the person having the right to disclose the information, be guilty of an offence and liable to a fine.[4]

13 Criminal liability of officers; aiders and abettors

(1) Where an offence under this Law committed by a company is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary, or other similar officer of the company or any person who was purporting to act in any such capacity, he or she, as well as the company, shall be guilty of that offence and shall be liable to be prosecuted and punished accordingly.

(2) Without prejudice to paragraph (1), any person who knowingly and wilfully aids, abets, counsels, causes, procures or commands the commission of an offence under this Law shall be liable to be dealt with, tried and punished as a principal offender.

14 Rules of Court

Rules may be made in the manner prescribed by the Royal Court (Jersey) Law 1948 to make such provision as appears to the Superior Number of the Royal Court to be necessary or expedient for the purposes of this Law.

15 Orders

(1) The Minister may make Orders for any purpose for which Orders may be made under this Law and generally for the purposes of carrying this Law into effect.

(2) [5]

16 General provisions as to Regulations and Orders

Except insofar as this Law otherwise provides, any power conferred by it to make any Regulations or Order may be exercised –

(a) either in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of case; and

(b) so as to make in relation to the cases in relation to which it is exercised –

(i) the full provision to which the power extends or any less provision (whether by way of exception or otherwise),

(ii) the same provision for all cases in relation to which the power is exercised or different provisions for different cases or classes of case, or different provisions as respects the same case or class of case for different purposes of this Law, or

(iii) any such provision either unconditionally or subject to any specified conditions.

17 Service of notices

(1) This Article shall have effect in relation to any notice or other document required or authorized by or under this Law to be given to or served on any person.

(2) Any such document may be given to or served on the person in question –

(a) by delivering it to the person;

(b) by leaving it at the person's proper address; or

(c) by sending it by post to the person at that address.

(3) Any such document may –

(a) in the case of a company, be given to or served on the secretary, clerk or other similar officer of the company or any person who purports to act in any such capacity, by whatever name called;

(b) in the case of a partnership, be given to or served on a partner or a person having the control or management of the partnership business.

(4) For the purposes of this Article and Article 7 of the Interpretation (Jersey) Law 1954 in its application to this Article, the proper address of any person to or on whom a document is to be given or served shall be the person's last known address, except that –

(a) in the case of a company or its secretary, clerk or other officer or person referred to in paragraph (3)(a), it shall be the address of the registered or principal office of the company;

(b) in the case of a partnership or a person having the control or management of the partnership business, it shall be that of the principal office of the partnership,

and for the purposes of this paragraph the principal office of a company registered outside Jersey or of a partnership carrying on business outside Jersey shall be their principal office within Jersey.

(5) If the person to be given or served with any document mentioned in paragraph (1) has specified an address within Jersey other than the person's proper address within the meaning of paragraph (4) as the one at which the person or someone on the person's behalf will accept documents of the same description as that document, that address shall also be treated for the purposes of this Article and Article 7 of the Interpretation (Jersey) Law 1954 as the person's proper address.

18 Saving provisions

This Law shall be in addition to and not in derogation of –

(a) the Loi (1934) sur la Santé Publique; and

(b) any other law relating to public health.

19 Citation

This Law may be cited as the Statutory Nuisances (Jersey) Law 1999.

SCHEDULE

(Article 9)

APPEALS

(1) A person served with an abatement notice under Article 5 may appeal against the notice to the Court within the period of 21 days beginning with the day on which the person was served the notice.

(2) A person referred to in paragraph (1) may appeal on any one or more of the grounds set out in paragraph (3) that are appropriate in the circumstances of the particular case.

(3) The grounds referred to in paragraph (2) are –

(a) that the abatement notice is not justified by Article 5;

(b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under Article 6(3);

(c) that the Minister has refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;

(d) that the time, or where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;

(e) where the nuisance to which the notice relates –

(i) is a nuisance falling within Article 2(1)(a), (d), (e), (f), (g) or (h) and arises on industrial, agricultural, trade or business premises,

(ii) is a nuisance falling within Article 2(1)(b) and the smoke is emitted from a chimney, or

(iii) is a nuisance falling within Article 2(1)(i) and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, agricultural, trade or business purposes,

that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;

(f) that the abatement notice should have been served on some person instead of the appellant, being –

(i) the person responsible for the nuisance,

(ii) the person responsible for the vehicle, machinery or equipment,

(iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or

(iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;

(g) that the abatement notice might lawfully have been served on some person instead of the appellant being –

(i) in the case where the appellant is the owner of the premises, the occupier of the premises, or

(ii) in the case where the appellant is the occupier of the premises, the owner of the premises,

and that it would have been equitable for it to have been so served;

(h) that the abatement notice might lawfully have been served on some person in addition to the appellant, being –

(i) a person also responsible for the nuisance,

(ii) a person who is also owner of the premises,

(iii) a person who is also an occupier of the premises, or

(iv) a person who is also the person responsible for the vehicle, machinery or equipment,

and that it would have been equitable for it to have been so served.

(4) If and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under Article 6(3), the Court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.

(5) Where the grounds upon which an appeal is brought include a ground specified in paragraph (3)(g) or (h), the appellant shall serve a copy of the appellant's notice of appeal on any other person referred to, and in the case of any appeal to which these regulations apply the appellant may serve a copy of the appellant's notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.

(6) On the hearing of the appeal the Court may –

(a) quash the abatement notice to which the appeal relates;

(b) vary the abatement notice in favour of the appellant in such manner as it thinks fit; or

(c) dismiss the appeal,

and an abatement notice that is varied under sub-paragraph (b) shall be final and shall otherwise have effect, as so varied, as if it had been so made by the Minister.

(7) Subject to paragraph (8), on the hearing of an appeal the Court may make such order as it thinks fit –

(a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work; or

(b) as to the proportions in which any expenses which may become recoverable by the Minister under the Law are to be borne by the appellant and by any other person.

(8) In exercising its powers under paragraph (7) the Court –

(a) shall have regard, as between an owner and an occupier, to the terms and conditions of any relevant tenancy and to the nature of the works required; and

(b) shall be satisfied before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (5).

(9) Where –

(a) an appeal is brought against an abatement notice served under Article 5 or 6;

(b) either –

(i) compliance with the abatement notice would involve any person in expenditure on the carrying out of works before the hearing of the appeal, or

(ii) in the case of a nuisance under Article 2(1)(h), the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant; and

(c) either paragraph (10) does not apply, or it does apply but the requirements of paragraph (11) have not been met,

the abatement notice shall be suspended until the appeal has been abandoned or decided by the Court.

(10) This paragraph applies where –

(a) the nuisance to which the abatement notice relates –

(i) is injurious to health, or

(ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect; or

(b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

(11) Where paragraph (10) applies the abatement notice –

(a) shall include a statement that paragraph (10) applies, and that as a consequence it shall have effect notwithstanding any appeal to the Court which has not been decided by the Court; and

(b) shall include a statement as to which of the grounds set out in paragraph (10) apply.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	*Projet No (where applicable)
Statutory Nuisances (Jersey) Law 1999	L.34/1999	13 June 2000 (R&O.46/2000)	P.40/1998
States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005	R&O.45/2005	9 December 2005	P.59/2005
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)	P.87/2015
States of Jersey (Transfer of Functions No. 9) (Health and Social Services to Environment) (Jersey) Regulations 2017	R&O.67/2017	11 July 2017	P.34/2017
States of Jersey (Minister for International Development and Minister for Children and Housing) (Jersey) Order 2018	R&O.82/2018	21 July 2018	
States of Jersey (Minister for Children and Education, Minister for Housing and Communities and Minister for External Relations and Financial Services) (Jersey) Order 2021	R&O.29/2021	2 March 2021	
Legislation (Jersey) Law 2021	L.8/2021 (R&O.112/2021)	28 September 2021	P.26/2021
States of Jersey (Ministerial Offices) Amendment Order 2026	R&O.84/2026	11.06 a.m. on 14 July 2026	

*Projets available at statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
1(3), (4), (5)	spent, omitted from this revised edition
2(1) (j)	2(1) (i)
(k)	(j)
(l)	(k)
(m)	(l)
(n)	(m)

Table of Endnote References

[1] *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*

[2] *Article 1(1)* — *amended by R&O.67/2017, R&O.82/2018, R&O.29/2021, revised on 11 December 2024 by Law Revision Board item 2024/8, amended by R&O.84/2026*

[3] *Article 5(5)* — *amended by L.1/2016*

[4] *Article 12(2)* — *amended by L.1/2016*

[5] *Article 15(2)* — *deleted by L.8/2021*