



Jersey

COVID-19 (ISLAND PLAN) (JERSEY) REGULATIONS 2021

Contents

Regulation

1	Interpretation	3
2	Amendment of Law.....	3
3	Citation and commencement	5

ENDNOTES

6

Table of Endnote References	6
-----------------------------------	---



Jersey

COVID-19 (ISLAND PLAN) (JERSEY) REGULATIONS 2021

*Made**10th February 2021**Coming into force**11th February 2021*

THE STATES make these Regulations under Article 2 of the Covid-19 (Enabling Provisions) (Jersey) Law 2020¹ –

1 Interpretation

These Regulations amend the Planning and Building (Jersey) Law 2002², and unless otherwise indicated, a reference in these Regulations to an Article is a reference to the Article of the same number in that Law.

2 Amendment of Law

(1) In Article 1(1) (interpretation) after the definition “breach of development controls” there is inserted –

“ “bridging plan” is to be construed in accordance with Article 3(2)(a);”.

(2) In Article 3 (Minister to prepare a draft Island Plan) for paragraphs (2) to (6) there is substituted –

“(2) A draft Island Plan must set out the Minister’s proposed policies in respect of the development and use of land –

- (a) in the case of a draft Island Plan formulated during the outbreak of Covid-19 or its aftermath (the “bridging plan”), for a period of up to 3 years beginning with the approval of such a plan by the States; or
- (b) in the case of a draft Island Plan other than the draft bridging plan, for a period of no more than 10 years following any period for which a previous Island Plan was approved by the States.

(2A) A draft Island Plan must be presented to the States in such time that the States may approve it, with or without amendment –

- (a) in the case of the draft bridging plan, within 3 years of the approval of that plan by the States or within a reasonable time after the end of that period; or

- (b) in the case of a draft Island Plan other than the draft bridging plan, within 10 years of such approval or within a reasonable time after the end of that period.
- (2B) But if the end of the period for which an Island Plan (an “existing Plan”) was approved by the States occurs before a subsequent Island Plan is so approved, the existing Plan remains in effect until the date of approval of a subsequent Island Plan.
- (2C) A draft Island Plan must be lodged in accordance with paragraph (3A) (in the case of the draft bridging plan), Article 4A and such further provision as may be made by Order.
- (3) In preparing a draft Island Plan, the Minister must publicise the Minister’s proposals and invite representations on those proposals from the public.
- (3A) In the case of the draft bridging plan, the draft bridging plan itself must be lodged for a period of not less than 12 weeks, and during that period –
 - (a) the draft bridging plan must be publicised;
 - (b) representations on the Minister’s proposals in the draft bridging plan may be made to the Minister by the public; and
 - (c) amendments to the draft bridging plan may be proposed and lodged by Members of the States Assembly.
- (4) The Minister must by Order prescribe the manner in which –
 - (a) the Minister’s proposals, in the form of a draft Island Plan other than a draft bridging plan or in the form of the drafting bridging plan itself, are to be publicised; and
 - (b) representations on those proposals from the public are to be made.
- (5) Orders may also prescribe the procedures by which representations by the public, and amendments to the draft bridging plan lodged by Members of the States Assembly, are to be heard in public.
- (6) In preparing, for approval by the States, a draft Island Plan or amendments to be proposed by the Minister to the draft bridging plan, the Minister must consider –
 - (a) any representations from the public which the Minister has received; and
 - (b) in the case of the draft bridging plan, any amendments lodged by Members of the States Assembly.
- (7) In this Part, “lodged” means lodged *au Greffe*.”
- (3) In Article 4A (procedure for and following lodging of draft Island Plan) for paragraphs (2) to (7) there is substituted –
 - “(2) An amendment to a draft Island Plan cannot be debated by the States –
 - (a) in the case of an amendment to the draft bridging plan, unless it has been lodged during –
 - (i) the period of 12 weeks mentioned in Article 3(3A), or

- (ii) such further period, ending not less than 5 weeks before the debate, as may be prescribed by Order; or
 - (b) in the case of an amendment to a draft Island Plan other than the draft bridging plan, unless it has been lodged for a minimum period of 8 weeks.
- (3) An amendment to an amendment to a draft Island Plan cannot be debated by the States –
 - (a) in the case of an amendment to an amendment to the draft bridging plan, unless it has been lodged during –
 - (i) the period of 12 weeks mentioned in Article 3(3A), or
 - (ii) such further period, ending not less than 4 weeks before the debate, as may be prescribed by Order;
 - (b) in the case of an amendment to an amendment to a draft Island Plan other than the draft bridging plan, unless it has been lodged for a minimum period of 6 weeks.
- (3A) An amendment by the Minister to the Minister’s proposals in the draft bridging plan cannot be debated by the States unless it has been –
 - (a) made in accordance with such further provision on the procedure for the draft bridging plan as may be made by Order; and
 - (b) lodged for a minimum period of 2 weeks.
- (4) But paragraph (2), (3) or (3A), as the case may be, does not apply if the States agree that an amendment lodged by the Minister may be debated forthwith or on a day or at a time approved by the States.”.

3 Citation and commencement

These Regulations may be cited as the Covid-19 (Island Plan) (Jersey) Regulations 2021 and come into force on the day after the day on which they are made.

ENDNOTES

Table of Endnote References

<i>1</i>	<i>L.2/2020</i>
<i>2</i>	<i>chapter 22.550</i>