



Jersey

CONTROL OF HOUSING AND WORK (FEES) (JERSEY) ORDER 201-

Report

Explanatory Note

This Order sets out fees and charges which are payable under the Control of Housing and Work (Jersey) Law 2012 (“Law”).

Article 1 is an interpretation provision.

Article 2 sets a fee of £35 for a first-time application for the registration card of a Registered or Licensed person who was ordinarily resident in Jersey for a continuous period of 3 months or more immediately before the date that the Law came into force. Otherwise, the fee for the first-time application of a Registered or Licensed person is set at £75. However neither of these fees applies to a person under 21 in full-time education who is the child of a parent with Entitled or Licensed status.

Article 2 also sets a fee of £5,000 for an application for a registration card of a person who has been granted Entitled status on the basis of social or economic grounds for the first time and who was not ordinarily resident in Jersey for a continuous period of 3 months or more immediately before the date that the Law came into force.

Article 3 sets a fee of £1,500 for an application for a business licence by a non-resident undertaking where the application is to operate in Jersey for a period of more than 90 days in any 12 month period and a fee of £500 where the application is to operate in Jersey for a period of 90 days or less in any 12 month period. A non-resident undertaking is defined in *Article 1* to mean an undertaking where, if only one person works for the undertaking, the person is not ordinarily resident in Jersey or, where more than one person works for the undertaking, all or a majority of the workers are not ordinarily resident in Jersey.

Article 4 sets a fee of £1,000 to accompany an application for a non-resident trading licence or a non-resident hawker’s licence. In each case “non-resident” means that the applicant is not ordinarily resident in Jersey or does not have a permanent business address in Jersey. The application fee does not apply however if the application is by a non-profit undertaking or the undertaking otherwise brings cultural benefit to Jersey. “Non-profit undertaking” is defined in *Article 1* to mean any non-profit organization within the meaning of the Non-Profit Organizations (Jersey) Law 2008 (whether or

not registered under that Law); a States funded body (within the meaning of the Public Finances (Jersey) Law 2005); and a parish.

Article 5 sets out the annual charge payable by each undertaking with a business licence that permits Licensed or Registered workers. The annual charge is £175 for each Licensed person and £50 for each Registered person. It is payable in respect of each such person permitted by the undertaking's business licence to work for the undertaking on 1st December in any year, regardless of the number of such persons actually working for the undertaking on that day. It is payable by 31st January in the following year. No fee is payable under this Article by a non-profit undertaking.

Article 6 sets out the title of the Order and provides that it will come into force on the same date that the Control of Housing and Work (Jersey) Law 2012 comes into force.





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Arrangement

Article

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Made [date to be inserted]
Coming into force [date to be inserted]

THE CHIEF MINISTER, in pursuance of Articles 3(3), 26(3), 31 and 44 of the Control of Housing and Work (Jersey) Law 2012, orders as follows –

1 Interpretation

(1) In this Order –

“Law” means the Control of Housing and Work (Jersey) Law 2012;

“non-profit undertaking” means any of the following –

- (a) an organization which falls within the definition “non-profit organization” in Article 1 of the Non-Profit Organizations (Jersey) Law 2008 (whether or not it is registered under that Law);
- (b) a States funded body;
- (c) a parish;

“non-resident hawker” means a hawker who –

- (a) is not ordinarily resident in Jersey; or
- (b) does not have any permanent business premises in Jersey;

“non-resident undertaking” means an undertaking where –

- (a) if only one person works for the undertaking, that person is not ordinarily resident in Jersey; or
- (b) if more than one person works for the undertaking, all or the majority of the persons working in or for the undertaking are not ordinarily resident in Jersey;

“Regulations” means the Control of Housing and Work (Residential and Employment Status) (Jersey) Regulations 201-.

(2) In this Order, references to a residential and employment status are to that status as determined in accordance with the Regulations.

2 Fee to accompany an application for a registration card

- (1) The fee to accompany an application for a registration card by a person who has Licensed or Registered status is £35 if –
 - (a) prior to the application, the person has never been issued with a registration card; and
 - (b) the person was ordinarily resident in Jersey for a continuous period of 3 months or more immediately before the date that the Law came into force.
- (2) The fee to accompany an application for a registration card by a person who has Licensed or Registered status is £75 if –
 - (a) prior to the application, the person has never been issued with a registration card; and
 - (b) the person was not ordinarily resident in Jersey for a continuous period of 3 months or more immediately before the date that the Law came into force.
- (3) The fee to accompany an application for a registration card by a person who has been granted Entitled status under Regulation 2(1)(e) of the Regulations is £5,000 if –
 - (a) prior to the application the person has never been issued with a registration card recording Entitled status where such status was granted under Regulation 2(1)(e); and
 - (b) the person was not ordinarily resident in Jersey for a continuous period of 3 months or more immediately before the date that the Law came into force.
- (4) No fee shall be payable under paragraph (1) or (2) if, at the time of the application, the person –
 - (a) has not attained the age of 21 years;
 - (b) is in full-time education; and
 - (c) is the child of a parent with Entitled or Licensed status.

3 Fee to accompany an application for a business licence

The fee to accompany an application for a business licence by a non-resident undertaking is –

- (a) £1,500, if the application is for the undertaking to operate in Jersey for more than 90 days in any 12 month period; or
- (b) £500, if the application is for the undertaking to operate in Jersey for 90 days or less in any 12 month period.

4 Fee to accompany an application for a non-resident trading licence or a non-resident hawker's licence

- (1) The fee to accompany an application for a non-resident trading licence or an application for a hawker's licence where the applicant is a non-resident hawker is £1,000.

- (2) No fee shall be payable under paragraph (1) if the application is by an undertaking which is either or both of the following –
 - (a) a non-profit undertaking; or
 - (b) an undertaking which brings cultural benefit to Jersey.

5 Annual charge in respect of Licensed and Registered persons

- (1) The annual charge in respect of a person permitted to work in or for an undertaking by the business licence of that undertaking is –
 - (a) £175 in respect of each Licensed person; and
 - (b) £50 in respect of each Registered person.
- (2) The annual charge is payable in respect of each Licensed or Registered person permitted by an undertaking's business licence to work for the undertaking on 1st December in any year, regardless of the number of such persons working for the undertaking on that day, and must be paid by 31st January in the following year.
- (3) A charge is not payable under this Article by a non-profit undertaking.

6 Citation and commencement

This Order may be cited as the Control of Housing and Work (Fees) (Jersey) Order 201- and shall come into force on the date that the Control of Housing and Work (Jersey) Law 2012 comes into force.

