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APPLICATION FOR AN IMMUNITY CERTIFICATE

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
("the Law")
THE LAND PLANNING AND DEVELOPMENT (ENFORCEMENT) ORDINANCE, 2007

Please complete this form in **black ink** using **block capitals**. Please also read the **explanatory notes** at the end of this form which will assist you in completing the form.

You must enclose with this form the following:-

- (a) An accurate plan drawn to scale which must be sufficiently detailed to enable the site and its boundaries to be clearly and easily identified.
- (b) The required fee of £70.00. Cheques should be made payable to the States of Guernsey.
- (c) A letter from the Vendor’s Agent/representative/vendor confirming that the applicant purchaser is purchasing the building or other land in question to which this application relates.

1. Details of applicant purchaser(s):

Name:	Name:
Address:	Address:
.....
Postcode:	Postcode:
Tel No:	Tel No:
Email:	Email:

2. If the applicant purchaser(s) is a company/other corporate body please provide the company number, registered office address & list the shareholders. If the purchaser is a partnership, a list of the partners:

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3. Name, address & contact details of agent (if any) acting on **purchaser’s** behalf in submitting this form:

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Tel No:

4. Cadastre reference of land:

5. Address of the land:

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.....
.....

6. Name & address of current owner of the land:

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.....

7. Description of the current use or uses of the land:

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.....
.....

8. Operative date: if within 14 days of the submitted application

Tick to confirm

9. Confirmation that an accurate plan has been provided with this application to identify the land:

10. Fee of £70.00 enclosed (Note: each land parcel is charged at £70.00)

11. Letter enclosed from the vendor’s agent/representative/vendor confirming that the purchaser is purchasing the building or other land to which this application relates:

12. Declaration of the applicant/purchaser(s): *I/we confirm that I/we **have** or **have not** (tick box as applicable) received the vendor’s authority to discuss with the Authority any property related issues which may arise following this application for an Immunity Certificate.*

13. Declaration of the applicant/purchaser(s): *I/we declare that I/we **have** or **have not** (tick box as applicable) been, in the last four years, an owner, occupier or person with an interest in the land in question. Please give details if you have declared an interest in the land in the last 4 years:*

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.....

14. Signature of each applicant purchaser(s) and date is required:

I hereby declare that to the best of my knowledge and belief, all of the particulars in this application for an Immunity Certificate are correct

Print name: Signature: Date:

Print name: Signature: Date:

Print name: Signature: Date:

Notes - Please read the following advisory notes to assist you in completing this form

The legislation provides that an application for an Immunity Certificate may only be made by the purchaser of the land to which the application relates. Throughout this form, the term 'land' includes a building.

Sections 1 and 2 of this form require specific details of the applicant purchaser, including name, address and contact details. **Section 2** applies only where the applicant purchaser is a company/other corporate body or a partnership, in which case the company number, registered office address and shareholders should be provided for a company/corporate body and the partners listed for a partnership.

The application form and information may be submitted by an agent on behalf of the applicant purchaser. This may be, for example, an estate agent or Advocate acting on their behalf. Details of any agent should be provided in **Section 3** of the form.

It should however be noted that even if an agent is acting on behalf of the applicant purchaser in submitting this form, the applicant purchaser(s) must themselves complete the Declaration in Section 12 and 13, and sign and date the form in Section 14.

Sections 4, 5, 6 and 7 of the form require details concerning the land to which the application relates. The required details to be provided in these sections include the name and address of the current owner, the address and Cadastre reference of the land and a brief description of the current use, or uses, of the land.

Section 8 requires the conveyance court date if the date is within 14 days of the submitted application.

Please ensure that you have enclosed with this application an accurate plan drawn to scale which is sufficiently detailed to enable the site and its boundaries to be clearly and easily identified. **Section 9** of the form asks you to confirm by ticking in the space provided that the necessary plan has been included with your application.

Please also ensure that you have enclosed with this application the required fee of £70.00. **Section 10** of the form asks you to confirm by ticking in the space provided that the required fee has been included with your application.

You also must provide with this form a letter from the vendor's agent/representative or the vendor confirming that you are purchasing the land in question to which this application relates. **Section 11** of the form asks you to confirm by ticking in the space provided that the required letter from the vendor's agent/representative/vendor has been included with your application.

Sections 12 and 13 of this form require you to indicate the correct declaration by ticking the appropriate box.

For Section 12 it is important that you receive the vendor's authority in order to be able to discuss with us any property related issues which may arise following this application for an Immunity Certificate.

For Section 13, if you have been an owner, occupier or person with an interest in the land in question in the last 4 years you are required to submit details. If the applicant purchaser is a large company, one director acting on behalf of all directors/shareholders within the company should declare in a letter which if any individual directors/shareholders has been an owner, occupier or person with an interest in the land within the last 4 years.

Section 14: Please note that signatures of each applicant purchaser are required. For large companies where all directors/shareholders signatures cannot be easily obtained, one director acting on behalf of all directors/shareholders may sign and date the form.

You are advised that any false, misleading or deceptive statements made on this form may constitute an offence under section 91 of the Law.

An Immunity Certificate confers immunity on

- (i) the applicant, and
- (ii) any person who is the occupier or has an interest in the land who –
 - (A) Becomes such on or after the date of issue of the certificate, **and**
 - (B) who has not been such or the owner of the land at any time within a period of four years before the date of issue of the certificate.

In respect of any action which may be taken under Part V of the Law, as a consequence of the issuing of a compliance notice, in relation to any breaches or suspected breaches in relation to the land in question which occurred on or before its date of issue, but, for the avoidance of doubt, shall not prevent action being taken under the Island Development (Guernsey) Law, 1966 (as amended) or the other repealed enactments (in respect of a breach of planning control occurring before the date of commencement of Part V of the Law) in accordance with section 48(8) of the Law.