

Protection against age discrimination in relation to Jersey premises

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From Wednesday 28 July 2021, age discrimination in relation to the disposal and management of premises will be prohibited under Jersey's Discrimination Law.

Residential tenants who have children under the age of 18 can currently be refused a rental property because they have young children.

Following a period of consultation earlier this year and a recent States Assembly debate, the amendment to the Discrimination (Jersey) Law 2013 (**the Law**) will mean that those offering residential premises will risk a claim of age discrimination if they refuse to let or sell premises on the basis that a tenant or prospective occupier has responsibility for a child (or children) under the age of 18 and that child (or those children) would be living with them some, or all, of the time.

The change to the Law also means that those who market residential properties, such as estate agents or property management companies, would discriminate if they refuse to provide details of such properties, or refuse to show such properties, to prospective occupiers who have children.

A number of exceptions are made for properties where age can be taken into account, including residential care homes, tourist accommodation and premises that are reserved or intended for people in a particular age group. In addition, those selling or renting residential premises will be able to take account of health and safety hazards when considering if it is reasonable for the property to be occupied by children.

The Law will also be extended to protect against discrimination in marketing materials and promotional activities for premises. This will apply to discrimination on all grounds; age, race, disability, sex, sexual orientation, pregnancy/maternity and gender reassignment.

If you have any questions or concerns about protecting your business against potential discrimination claims, or you wish to make changes to your practices and procedures to ensure that you comply with the Law, the Ogier Local Legal Service team will be happy to assist you.

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