

ROYAL COURT

16th August, 1991 113.

Before: The Bailiff, and
Jurats Blampied and Le Ruez

Attorney General

- v -

Napoli Restaurants

Infractions of Article 14(1)(A) of
the Housing Law, 1949. (7 charges).

PLEA:

Guilty.

DETAILS OF OFFENCE:

Company leased an Indian restaurant with four rooms of dwelling accommodation above. The rooms were bound by an (a)-(h) condition. Accused company had housed seven members of staff without qualifications. Son of beneficial owner had been named on an exemption form as living there. Completely untrue: described by the Court as a "blind".

DETAILS OF MITIGATION:

No rent charged. Occupancy on a service basis. Company found it difficult to run the business without offering staff accommodation.

PREVIOUS CONVICTIONS:

Eighteen offences under Food Hygiene Law.

CONCLUSIONS:

£500 per offence (£3,500 total) plus £200 costs.

SENTENCE AND OBSERVATIONS OF THE COURT:

£400 per offence (£2,800) plus £200 costs.
Conclusions slightly reduced because of company's
difficult trading position in time of recession.

C.E. Whelan, Esq., Crown Advocate,
Advocate C.R. de J. Renouf for the Company.

JUDGMENT

BAILIFF: Stand up, Mr. Aziz. We have little doubt that you knew what you were doing. It is an excuse that we have heard before in this Court that so long as somebody is qualified, that somehow or other fulfils the Housing Law. It does not. We are satisfied that the premises were not available for housing the people of the Island; however we take into account what your counsel has said and the particular circumstances of the layout of the premises and we have come to the conclusion that the appropriate fine is a fine of £400 in respect of each offence, making a total of £2,800, with £200 costs.

No authorities.