



Channel Islands

Commercial property purchases compared

For clients seeking to purchase commercial property in both Jersey and Guernsey, understanding the differences and similarities from the outset is invaluable. Whether you are a local business expanding your footprint, an international investor exploring opportunities, or a buyer seeking guidance on the process, this guide aims to compare five key aspects of how purchasing commercial property works in each island.

5 things to know about purchasing commercial property in Jersey



Conveyances are passed before the Royal Court only on Friday afternoons. It is the norm for transactions to proceed directly to completion with no prior "exchange" stage



Parties must attend before the Royal Court for completion of a conveyance or contract lease (either in person or by attorney)



There is a Public Registry in Jersey, but it is a registry of deeds and not title. There is no guarantee of title provided by the government in respect of a property transaction and title is based upon the claims set out in the documents recorded at the Public Registry. Hence there are no "deeds" to hold



Purchasers of immovable property must hold a valid registration card (or consent if a company) pursuant to the Control of Housing and Work (Jersey) Law 2012



Stamp duty is payable on an accumulative scale based on the purchase price of the property. Different rates apply for residential properties depending on whether they are being purchased as a "main residence" or as a buy to let/second home. Concessionary rates are also available for first time buyers



Laura Shirreffs
Senior Associate
Jersey
+44 1534 514096

laura.shirreffs@ogier.com

5 things to know about purchasing commercial property in Guernsey



Conveyances are consented to before the Contracts Court (part of the Royal Court) on Tuesday and Thursday mornings. Parties will normally sign "Conditions of Sale" where the purchaser pays a 10% deposit and a completion date is set. Completion often depends on satisfying conditions by an "Operative Date," after which the contract becomes unconditional



Parties must attend before the Contracts Court to confirm their consent to the completion of a conveyance before the Jurats (in person or by attorney). Consent is given verbally, not by signing. The conveyance is then registered in "the Greffe" by 4pm on the day of completion



There is a Public Registry in Guernsey, but it is a registry of deeds and not title. There is no guarantee of title provided by the government in respect of a property transaction



Anyone can buy any type of property in Guernsey however in the case of residential property, it is important to be aware of the distinction between Open and Local market properties. There is no such distinction in the case of commercial property



Document duty is payable on an accumulative scale based on the purchase price of the property. Additional duty applies for residential properties when they are being purchased as a "non-principal private residence" as opposed to as a "principal residence". There is no such difference for commercial properties (other than where they are mixed-use) or in the case of development land



Martyn Baudains
Partner
Guernsey
+44 1481 752217

martyn.baudains@ogier.com