



Guernsey property transactions: Guidance following new lockdown

January 2021

We know that many people are in the process of buying or selling, and at various stages. Some are just getting prepared to sign up, and others were all ready to move. So what is happening?

The Island is in lockdown. The guiding principle is that people should stay at home, other than for limited and specified reasons. These can be found on the States website.

Certain sectors are deemed essential, and that includes Advocates and staff, and Courts and Judicial services.

However, the clear guidance from the Greffe is that whilst Court and Judicial services have a general exemption to allow their work to continue, conveyancing is not deemed to be 'essential work' in those terms.

It is appreciated, however, that some parties are already signed up and contractually tied in, and some conveyancing matters are 'essential'. Therefore Contract Court will be open solely to allow contractually bound matters and essential matters. This will be subject to strict measures, limiting the amount of people who can attend. This does not include clients, who will have to organise powers of attorney, and they should speak to their advocates in that regard.

There is no definitive guide as to what is an 'essential' conveyancing matter, but an example would be where a person is terminally ill, or is someone who needs urgent care. In other words, it will be for exceptional circumstances only.

All other matters that are not contractually bound, or are not essential/exceptional in their circumstances will need to wait, and you should speak to your advocate and the estate agent, unless they have already been in touch.

Thanks to the decisive action of the CCA, and the high level of public engagement, we hope to be out of this lockdown as soon as possible and return to normal.

Please get in touch if you have any queries and we will do our best to help.

In the meantime, stay safe.

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