

STATES OF JERSEY



DRAFT SHOPS (REGULATION OF OPENING AND DELIVERIES) (JERSEY) LAW 200- (P.111/2009): SECOND AMENDMENT

Lodged au Greffe on 16th October 2009
by Deputy I.J. Gorst of St. Clement

STATES GREFFE

DRAFT SHOPS (REGULATION OF OPENING AND DELIVERIES) (JERSEY)
LAW 200- (P.111/2009): SECOND AMENDMENT

PAGE 35, ARTICLE 4 –

- (a) in paragraph (1) omit the words “, Christmas Day”;
- (b) after paragraph (2) insert the following paragraph and renumber the remaining paragraphs accordingly –
 - “(3) Regulations made under paragraph (1) may not include provision empowering the Minister, by Order, to designate Good Friday or Liberation Day as a special occasion for the purposes of this Law.”.

DEPUTY I.J. GORST OF ST. CLEMENT

REPORT

This is a minor amendment which aims to preserve the character of two specific festivals and our 'national day'.

Christmas Day

This amendment would dis-allow a general permit to trade on Christmas Day except for those outlets which are currently considered to offer exempt transactions as per Schedule 1 (e.g. Pharmacists etc.). Therefore normal Sunday Trading restrictions would not apply.

Good Friday and Liberation Day

The proposed legislation allows the States by regulation to –

- (a) give the Minister Order-making powers to declare a special occasion; and
- (b) allow a Connétable to grant a blanket permit to open on a special occasion.

Thus allowing certain shops to open not only on Sundays but also on these 2 days of the year.

If members accept this amendment the Minister will still retain his or her Order making powers and a Connétable would still be able to grant a blanket permit but those powers would no longer apply to Good Friday and Liberation Day. However normal Sunday Trading restrictions would apply.

I expect that most members will welcome the overall changes that Draft Shops (regulation of Opening and Deliveries) (Jersey) Law 200- proposes. The difficulty with this legislation is that most, if not all, of any contentious provisions will be included in Regulations, of which members are yet to have sight.

It seems to me appropriate to have protection of these 3 days in primary legislation in order to safeguard their uniqueness for the future.

Financial and manpower implications

There are no financial or manpower implications.