



Jersey

L.7/2003

**PUBLIC HOLIDAYS AND BANK HOLIDAYS  
(AMENDMENT No. 2) (JERSEY) LAW 2003**

A LAW to amend further the Public Holidays and Bank Holidays (Jersey) Law 1951.

*Adopted by the States**1st October 2002**Sanctioned by Order of Her Majesty in Council**17th December 2002**Registered by the Royal Court**3rd January 2003*

**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

**1**

In this Law “principal Law” means the Public Holidays and Bank Holidays (Jersey) Law 1951, as amended.<sup>1</sup>

**2**

In Article 1 of the principal Law<sup>2</sup> –

- (a) the existing Article shall be re-numbered as paragraph (1) of that Article;
- (b) in paragraph (1) for the definition of “normal banking hours” there shall be substituted the following definition –
  - “ ‘normal banking hours’, in relation to a bank, means the hours of any business day during which that bank is normally open.”; and
- (c) after paragraph (1) there shall be inserted the following paragraph –
  - “(2) In this Law references to “open” or “closed” in relation to a bank are references to the opening or closing as the case may be of that part of the premises occupied by that bank to which the public are

normally admitted for the transaction of banking business with the public.”.

3

For Article 3, 4 and 4A of the principal Law<sup>3</sup> there shall be substituted the following Articles –

**“3 BANKS TO BE CLOSED ON BANK HOLIDAYS**

Subject to the provisions of any Order made under Article 4 of this Law, a bank shall not open on a bank holiday.

**4 ORDERS WITH RESPECT TO THE OPENING AND CLOSING OF BANKS**

(1) The Finance and Economics Committee may by Order, where it considers it expedient to do so in view of particular circumstances, require or permit any bank –

- (a) to be open –
  - (i) on a bank holiday or any other day that is not a business day; or
  - (ii) on a business day outside normal banking hours; or
- (b) to be closed during normal banking hours,

for such period of time as may be specified in the Order.

(2) Orders made under this Article may make different provision for different cases or circumstances.

(3) The Subordinate Legislation (Jersey) Law 1960, as amended,<sup>4</sup> shall apply to Orders made under this Article.

**4A OFFENCES**

(1) A person who –

- (a) contravenes Article 3 of this Law; or
- (b) contravenes or fails to comply with any provision of an Order made under Article 4 of this Law,

shall be guilty of an offence and liable to a fine.

(2) Where an offence under this Law committed by a limited liability partnership or body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of –

- (a) a person who is a partner of the partnership, or director, manager, secretary or other similar officer of the body corporate; or
- (b) any person purporting to act in any such capacity,

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the person shall also be guilty of the offence and liable in the same manner as the partnership or body corporate to the penalty provided for that offence.

- (3) Where the affairs of a body corporate are managed by its members, paragraph (2) of this Article shall apply in relation to acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (4) Any person who aids, abets, counsels or procures the commission of an offence under this Law shall also be guilty of the offence and liable in the same manner as a principal offender to the penalty provided for that offence.”

#### **4 Amendment to Shops (Sunday Trading) (Jersey) Law 1960**

In the definition of “shop” in Article 1 of the Shops (Sunday Trading) (Jersey) Law 1960, as amended,<sup>5</sup> after the words “carried on” there shall be inserted the words “other than premises used as a bank”.

#### **5 Citation and commencement**

This Law may be cited as the Public Holidays and Bank Holidays (Amendment No. 2) (Jersey) Law 2003 and shall come into force on the seventh day following its registration.

**C.M. NEWCOMBE**

*Greffier of the States.*

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<sup>1</sup> *Tome VIII, page 9.*

<sup>2</sup> *Tome VIII, page 9.*

<sup>3</sup> *Tome VIII, page 10.*

<sup>4</sup> *Tome VIII, page 849 and Volume 2001, pages 3 and 4.*

<sup>5</sup> *Tome VIII, page 835.*