



Jersey

## **SHOPS (REGULATION OF OPENING) (AMENDMENT) (JERSEY) REGULATIONS 2019**

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Jersey

## SHOPS (REGULATION OF OPENING) (AMENDMENT) (JERSEY) REGULATIONS 2019

*Made* 23rd October 2019  
*Coming into force* 30th October 2019

**THE STATES** make these Regulations under Article 4 of the Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010<sup>1</sup> –

### 1 Interpretation

In these Regulations, a reference to a Regulation or Schedule by number only is, unless otherwise indicated, to the Regulation or Schedule of the same number in the Shops (Regulation of Opening) (Jersey) Regulations 2011<sup>2</sup>.

### 2 Regulation 1 (interpretation) amended

In Regulation 1 –

- (a) before “In these Regulations” there is inserted “(1)”;
- (b) the definitions “blanket permit”, “general permit”, “1960 Law”, “permit” and “single permit” are deleted;
- (c) in the definition “Law”, for “, and “the present Law”, mean” there is substituted “means”;
- (d) after the definition “weekday” there is inserted –

“(2) A reference in these Regulations to a permit, without further qualification, is a reference to any permit that may be granted under these Regulations.”.

### 3 Regulation 4 (special occasions) deleted

Regulation 4 is deleted.

### 4 Regulation 6 (types of permit) substituted

For Regulation 6 there is substituted –

**“6 Types of permit**

The following permits may be granted under these Regulations –

- (a) a general permit;
- (b) a restricted-hours permit;
- (c) a single permit.

**6A General permit**

- (1) A general permit may be granted only in respect of –
  - (a) a shop that has a retail sales area of no more than 700 square metres;
  - (b) a shop that is a tourist amenity, facility or attraction, if the part of the shop’s retail sales area that is used for the supply of goods is no more than 700 square metres; or
  - (c) any other shop, if the supply of goods in the shop’s retail sales area is incidental to the provision of some other service.
- (2) A general permit authorises the opening of a shop on the following days –
  - (a) every Sunday, other than a Sunday that is also Christmas Day;
  - (b) Good Friday;
  - (c) Liberation Day;
  - (d) 26th December.
- (3) A general permit remains in force until the end of the 31st day of December in the year in which it is granted, unless it ceases to have effect under Regulation 17 or is revoked under Regulation 18.

**6B Restricted-hours permit**

- (1) A restricted-hours permit authorises the opening of a shop at any time between 10:00 and 16:00 hours on the following days –
  - (a) every Sunday, other than a Sunday that is also Christmas Day or 26th December;
  - (b) Good Friday;
  - (c) Liberation Day.
- (2) A restricted-hours permit also authorises the opening, at any time (including beyond the time between 10:00 to 16:00 hours) on the days set out in paragraphs (1)(a) to (c), of an area of a shop, where the area –
  - (a) is ordinarily used for the retail sale of fuel, or of other source of power, for motor vehicles (and may also be used incidentally for the supply of other goods); and
  - (b) is no more than 700 square metres.
- (3) A restricted-hours permit remains in force until the end of the 31st day of December in the year in which it is granted, unless it

ceases to have effect under Regulation 17 or is revoked under Regulation 18.

#### **6C Single permit**

- (1) A single permit authorises the opening of a shop on any date specified in the permit.
- (2) However, a single permit may not authorise the opening of a shop on Christmas Day, on 26th December or on more than 5 dates in a calendar year.

#### **6D Permit for vehicle**

A permit for a shop that is a vehicle authorises its opening in any parish.”.

### **5 Regulation 7(3) deleted**

Regulation 7(3) is deleted.

### **6 Regulation 8 (application for permit) amended**

- (1) In Regulation 8(3)(a), for “general permit” there is substituted “general permit, restricted-hours permit”.
- (2) Paragraphs (6) to (8) of Regulation 8 are deleted.

### **7 Regulation 12 (conditions of general permits) amended**

- (1) In the heading of Regulation 12, after “general permits” there is inserted “and restricted-hours permits”.
- (2) In Regulation 12 for “general permit”, wherever it occurs, there is substituted “general permit or restricted-hours permit”.
- (3) In Regulation 12(4), before “26th December” there is inserted “(in the case of a general permit)”.

### **8 Regulation 15 (blanket permits) deleted**

Regulation 15 is deleted.

### **9 Regulation 22 (fees) amended**

In Regulation 22(1) –

- (a) before “fee” there is inserted “applicable”;
- (b) for “general permit” there is substituted “general permit, restricted-hours permit”.

**10 Miscellaneous amendments**

In the following provisions, for “general permit or single permit”, wherever it appears, there is substituted “permit” –

- (a) Regulation 7(2);
- (b) Regulation 8(1);
- (c) Regulation 9(1);
- (d) Regulation 11(1);
- (e) Regulation 14 (including its heading);
- (f) the heading of Regulation 16 and Regulation 16(1);
- (g) Regulation 17;
- (h) Regulation 18 (including its heading);
- (i) Regulation 19(1)(c) and (d);
- (j) Regulation 23(1) and (3).

**11 Regulation 24 (transitional provisions and saving) deleted**

Regulation 24 is deleted.

**12 Schedule 2 (shops whose retail sales areas exceed 700 square metres) deleted**

Schedule 2 is deleted.

**13 Schedule 3 (fees) amended**

In Schedule 3 –

- (a) for “£50” there is substituted “£60”;
- (b) below the entry for a general permit or single permit there is inserted “For filing an application for a restricted-hours permit – £120”.

**14 Shops (Regulation of Opening) (Special Occasions) (Jersey) Order 2015 repealed**

The Shops (Regulation of Opening) (Special Occasions) (Jersey) Order 2015<sup>3</sup> is repealed.

**15 Blanket permits continue to have effect**

- (1) Despite any other provision of these Regulations, a blanket permit described in paragraph (2) continues to have effect in accordance with its terms until the end of the 2019 calendar year.
- (2) Paragraph (1) applies to every blanket permit that –
  - (a) was issued under the Shops (Regulation of Opening) (Jersey) Regulations 2011<sup>4</sup>, as those Regulations read immediately before these Regulations come into force; and

(b) was in force immediately before these Regulations come into force.

**16 Citation and commencement**

These Regulations may be cited as the Shops (Regulation of Opening) (Amendment) (Jersey) Regulations 2019 and come into force on the 7th day after the day on which they are made.

**DR. M. EGAN**

*Greffier of the States*

**ENDNOTES****Table of Endnote References**

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<i>1</i>	<i>chapter 05.775</i>
<i>2</i>	<i>chapter 05.775.50</i>
<i>3</i>	<i>R&amp;O.96/2015 (chapter 05.775.60)</i>
<i>4</i>	<i>chapter 05.775.50</i>