

STATES OF DELIBERATION

9th December 2015

Billet d'État No XXIII Article No 5

AMENDMENT

Proposed by: Deputy A H Brouard

Seconded by: Deputy M H Dorey

Draft Ordinance of the States entitled The Sunday Trading (Repeal) Ordinance, 2015

For all of the text after “Whether they are of the opinion” to substitute:

1. Not to approve the draft Ordinance entitled “The Sunday Trading (Repeal) Ordinance, 2015”.
2. To rescind their Resolution of 1st October, 2015 concerning Article XVI of Billet d'État No XVI dated 21st August 2015.
3. To approve the revision of the Sunday Trading Ordinance, 2002 as set out in paragraph 10.9 of the Policy Letter dated 2nd July, 2015, of the Commerce and Employment Department, and published at Article XVI of that Billet d'État.
4. To direct the preparation of such legislation as may be necessary to give effect to the above decision.”.

Explanatory Note

This amendment gives the States the Opportunity to introduce Commerce and Employment's alternative Regulatory Scheme (option 2) should the States be minded not to continue with total deregulation.

Option 2 as laid out in Billet XVI September 2015:-

“10.2 Option 2 builds on the foundations of the present system but makes it easier to administer, provides clarity and addresses the anomalies. In brief summary it proposes the following changes:

- Amendment to the criteria for a category L (Plant and Garden Centre) licence to enable a full range of goods to be sold on Sundays;
- Amendment and extension to the criteria for a category K (Souvenir Shops (Cruise ships)) licence to simplify the opening of shops in the town area when cruise ships are visiting and additionally for the occasion of themed “Sea Front Sundays”;
- Introduction of a new licence category for pet shops;
- Introduction of a new licence category for exhibitions;

- Amendment to the criteria for a category C (Fuel Outlet) licence to permit a wider range of goods to be sold on Sundays;
- Removal of the need for those holding charitable events to require a licence;
- Rearrangement of the administration of the scheme together with a more streamlined application process including reducing bureaucracy at the time of renewal of a licence;
- Greater clarity regarding some of the phrases used in the current Ordinance; and
- A simplified appeal process.”

In respect of rule 15(2)(a): there is no anticipated change with regard to the current administration cost of a half Full Time Equivalent (est. £30,000), but in addition approximately £6,000 will be received in fees to partially mitigate this cost.

If deregulation is however progressed there will be the saving of half FTP estimated at £30,000 less the income from fees £6,000 being a net saving of £24,000.