

STATES OF JERSEY



DRAFT SHOPS (REGULATION OF OPENING AND DELIVERIES) (JERSEY) REPEAL LAW 202- (P.40/2026): COMMENTS

**Presented to the States on 20th March 2026
by the Economic and International Affairs Scrutiny Panel**

STATES GREFFE

COMMENTS

Introduction

The Economic and International Affairs Scrutiny Panel (the Panel) welcomes the intention behind the draft Shops (Regulation of Opening and Deliveries) (Jersey) Repeal Law 202- [\[P.40/2026\]](#) (the draft Law). The Minister has informed the Panel that the purpose of this draft Law is to reduce barriers to doing business by addressing concerns previously raised by industry in various government reports cited in the proposition.

However, based on the scrutiny conducted to date—including quarterly public hearings with the Minister for Sustainable Economic Development (the Minister) and engagement with a targeted group of stakeholders—the Panel has identified several areas that require further clarity and consideration to support informed decision-making by the Assembly.

Given the limited timeframe, the Panel decided to concentrate on garden centres for feedback on Sunday opening changes as they provide a useful example of businesses not currently trading on Sundays that might seek to do so in future, should the draft Law be adopted.

Key issues identified by the Panel

Workforce implications of removing Sunday trading restrictions

The draft Law proposes removing the requirement for shops to obtain permits to open on Sundays and public holidays. The report accompanying the proposition describes the existing permit system as an *“administrative burden that no longer reflects the needs of businesses, consumers, or the wider economy. The current system imposes unnecessary costs and bureaucracy, with little demonstrable benefit.”*¹

In its submission to the Panel, the Jersey Consumer Council stated that it views the draft Law as *“a positive step, provided that the appropriate checks and balances are in place – particularly regarding worker rights, fair pay, holiday entitlement, and protection against being compelled to work additional hours without proper compensation.”*²

However, the Panel has not been provided with clear evidence of where such checks have been carried out, nor how the monitoring of workers’ rights, pay conditions, and working hours will be ensured should the repeal be adopted.

The Comité des Connétables highlighted concerns around the potential impact on workers and their families if more shops choose to open on Sundays. The Comité cited the 2021 Census where 12% of working adults were recorded as employed within the wholesale and retail sector, and these workers—and their families—may be affected by increased Sunday working.³

¹ [Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202-](#)

² [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Jersey Consumer Council - 16 March 2026](#)

³ [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Comité des Connétables - 12 March 2026](#)

The Comité noted that while the Child Rights Impact Assessment concludes that the repeal is “*not likely to neither positively or negatively impact children*”⁴ as childcare needs may increase if parents or carers are required to work on Sundays or other protected days. It also cautioned that unless specific days—such as Good Friday, Liberation Day, Christmas Day, 26 December, or any Sunday—are safeguarded, children may be adversely affected by parents having to work unsociable hours.

The Panel questioned the Minister on whether any economic or workforce impact assessments had been carried out and was advised that no such assessments had been undertaken. It was explained that the expected economic impact was considered to be very low and that workforce impacts could not be quantified due to the absence of the detailed data required to carry out a cost-based analysis.

The Panel is concerned by the absence of economic and workforce impact assessments and requests that the Minister clarify the rationale for this and provide assurance during the debate regarding how the impact on the workforce will be monitored.

Noise, deliveries and enforcement concerns

In repealing the Law and Regulations, Connétables will no longer be required to issue permits and so will not be able to restrict the number and timing of deliveries to shops on Sundays and public holidays. The Minister informed the Panel that any issues relating to noise or disturbance could still be addressed under the Statutory Nuisances (Jersey) Law 1999. However, the Panel has received significant concerns from stakeholders regarding the adequacy of this approach.

The Comité des Connétables raised concerns in its submission to the Panel around the potential for increased noise disturbance, particularly in the early hours of Sunday mornings, should more shops choose to open and accept deliveries. While the Connétables acknowledged the need to modernise trading arrangements, they emphasised the importance of maintaining a fair balance for all parishioners. They highlighted that each Connétable under the current permit providing system gives careful consideration to the location of retail outlets within their Parish when addressing nuisance risks, and that the current permit process is not considered onerous:

*“Concern was expressed regarding the noise generated during delivery operations, including the delivery vehicles and associated mechanical handling equipment. This may involve the use of tail lifts, pallet trucks, roll cages, refrigeration units and other powered lifting or hydraulic equipment during loading and unloading activities. Such operations, especially during early morning hours, have the potential to cause significant disturbance to nearby residential properties. The Parish of St Helier regularly receives feedback from residents who live near retail premises regarding delivery-related noise under the current permitted opening hours.”*⁵

In response to the Minister’s suggestion that the Statutory Nuisances (Jersey) Law 1999 could be relied upon to manage any increase in noise, the Comité emphasised the

⁴ [Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202-. \(P.40/2026\) – Children’s Rights Impact Assessment](#)

⁵ [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Comité des Connétables - 12 March 2026](#)

practical limitations of this approach and the difficulty in proving cause under the Nuisance Law:

“Information on Nuisance complaints requires persons to keep a diary over a period of time, such as 4 weeks, and return it to Environmental Health as part of the evidence-building phase before any action is taken. We have been informed the Environmental Health approach will be Engage, Explain, Encourage, Enforce. An FOI response on complaints received under the Statutory Nuisances Law shows 2,804 complaints received between 3 October 2017 and 3 April 2023 (c. 1,400 related to different types of noise). However, only 21 statutory notices, deemed to be abatement notices, were served by the Environmental and Consumer Protection (ECP) team under the Statutory Nuisances Law during that period.”⁶

The Jersey Consumer Council echoed these concerns about the potential impact on residents living closest to supermarkets, while also noting that some retailers currently trading on Sundays already follow good practice. Its submission highlighted the example of Waitrose St Saviour, which prohibits Sunday deliveries out of consideration for neighbouring homes.

The Panel understands that the Chamber of Commerce intends to develop a voluntary Code of Conduct for retail members. However, the Panel remains concerned that such a code would be created by the industry for the industry and therefore would not constitute effective oversight as it would represent a form of self-regulation. The Panel considers that more formal, enforceable guidelines should be developed. The Comité des Connétables noted in its submission that the draft Code of Conduct it had reviewed clearly reflects its voluntary nature, pointing to phrasing such as “retailers are encouraged to...”, “where possible...”, and “this Code is not legally binding...”.⁷ The Panel agrees with the comments made by the Comité.

However, when questioned about deliveries, the Minister explained that although the repeal may provide some flexibility in situations where freight shipments are delayed, delivery patterns are still largely governed by ferry arrival times.⁸

The Panel notes that the 2023 *Barriers to Business* report suggested that Sunday trading restrictions could be removed, provided businesses follow set guidelines—such as limits on noise—as an initial step toward allowing market forces to determine opening hours, with enforcement applied only when problems arise:

“Removal of Sunday trading permissions for all businesses as long as they follow set guidelines, e.g. noise levels as a first step towards the vision to allow market forces to dictate the actual hours open with no applications required but policed by exception.”⁹

⁶ [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Comité des Connétables - 12 March 2026](#)

⁷ [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Comité des Connétables - 12 March 2026](#)

⁸ [Letter - Minister for Sustainable Economic Development to the Economic and International Affairs Scrutiny Panel - Follow-up Questions Quarterly Hearing - 27 February 2026](#)

⁹ [Barriers to Business Report Jersey Business - September 2023](#) Page 37

Given the evidence received, the Panel requests that the Minister provide clear assurances that appropriate, enforceable safeguards will be put in place to monitor and manage delivery-related noise and general disturbance should the repeal be adopted.

Adequacy of consultation undertaken

The Panel found limited evidence of meaningful consultation undertaken in advance of bringing forward the proposal to repeal the existing Law and Regulations. The Minister appears to have relied mainly on previous engagement with businesses that had called for a reduction in perceived barriers to trade, such as the feedback gathered as part of the 2023 *Barriers to Business Report*. However, in relation to the development of this draft Law and its potential consequences, should it be adopted, the Panel remains unclear as to the extent of consultation undertaken beyond engagement with the Jersey Chamber of Commerce.

In a submission to the Panel, Ransoms Garden Centre challenged the suggestion, set out in the Proposition, that the current system imposes “*unnecessary costs and bureaucracy...*”¹⁰. Ransoms highlighted that it felt this was an “*an overexaggeration*”¹¹, noting that existing permit process only requires the completion of one or two short forms annually and that the fees cannot be deemed as costly for many retailers.

Ransoms also noted that when the existing Sunday trading rules were first introduced, considerable attention was given to how they might affect retail staff and their family life. In contrast, it considers that the current proposal to repeal those rules shows little evidence of similar consideration for workers and appears to be driven largely by the interests of major food retailers. The Panel believes this underlines the need for wider engagement with a broader range of businesses, including those such as Ransoms.

The Comité des Connétables also highlighted that no engagement had taken place with the Comité since the publication of the ‘[Barriers to Business Report](#)’ and the ‘*Jersey Retail 2023 Report*’; nor was any advance consultation undertaken prior to the Minister’s announcement to the Chamber of Commerce. The Comité described this lack of engagement as “*regrettable*”¹² emphasising that the views of the Connétables are important and should have been included in the decision-making process.

The Comité further noted the contrast between the limited consultation supporting the current repeal proposal and the more extensive process undertaken in 2009 when proposals for the *Draft Shops (Regulation of Opening and Deliveries) (Jersey) Law* were brought forward. The 2009 report included references to public consultation, findings from the Jersey Annual Social Survey, and consideration of community events such as car boot sales. Furthermore, the Comité noted that the earlier report explained why the States had added Liberation Day as a protected day in 1999, recognising its significance to the Island’s cultural and historical identity protecting it from being a day when shops could open, an element that would be removed under the draft Law.

¹⁰ [Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202-](#)

¹¹ [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Ransoms Garden Centre - 13 March 2026](#)

¹² [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Comité des Connétables - 12 March 2026](#)

Taken together, the evidence suggests that engagement for the current proposal was narrower in scope than for previous reforms. The Panel considers this a missed opportunity to gather the full range of views from those potentially affected, including parish authorities, residents, retail workers, and smaller independent businesses.

Potential retail and economic impacts

The Minister informed the Panel that the rationale for repealing the 2010 Law was driven by feedback from both businesses and Islanders. [The Barriers to Business Report 2023](#), which received 428 responses¹³, found that businesses believed restrictions on trading hours had negatively affected trade particularly in relation to Sunday opening.¹⁴

The Minister notes in the report accompanying the proposition that repealing the 2010 Law could enhance Jersey's appeal to inward investors. The report also references April 2023 research indicating strong public support for extended retail hours, with 64% of Islanders favouring Sunday trading and 62% expressing a desire for year-round evening shopping.

In addition, the Minister highlights visitor data showing that shopping for non-essential goods remains one of the most popular activities among tourists. Therefore, removing Sunday trading restrictions is deemed to enable retailers to capture this demand without requiring extra permits, particularly now that the digitised GST refund scheme provides further incentives for visitors to spend within the local economy.

However, based on the submissions received, the Panel remains uncertain whether the anticipated increase in retail openings will materialise if the draft Law is adopted. Ransoms noted that it would not look to open any additional days unless compelled to so by competitive pressure. The business stated:

*"We would not wish to open any additional days to those we are already able to , as we do not believe there are many additional sales to be made but our sales would simply be spread over 7 days rather than the 6 days we currently open. This would therefore not increase our sales significantly but would increase our staffing costs leading to reduced profits. However, if competitors in our sector decided to open every Sunday, we would reluctantly be forced to open to avoid losing sales to them."*¹⁵

The Panel heard that Ransoms does not expect an increase in deliveries under the draft Law because most hauliers do not operate on Sundays. It also anticipates difficulties staffing Sunday opening: although contracts allow for Sunday work, introducing regular Sunday shifts would require a formal consultation, would likely be unpopular with staff, and could lead to resignations. Ransoms added that spreading its experienced staff across seven days would reduce cover on other trading days, harming customer service,

¹³ [Letter - Minister for Sustainable Economic Development to the Economic and International Affairs Scrutiny Panel - Follow-up Questions Quarterly Hearing - 27 February 2026](#)

¹⁴ [Barriers to Business Report Jersey Business - September 2023](#) Page 36

¹⁵ [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Ransoms Garden Centre - 13 March 2026](#)

and that operating all week would require hiring additional staff at a time when recruitment is already challenging.¹⁶

Finally, Ransoms emphasised that under the current system, any business that finds Sunday trading financially beneficial is already able to open. It cautioned that, rather than delivering an economic benefit, the draft Law—if adopted—could lead to higher prices for consumers due to the cost of opening seven days a week, as well as additional pressure on businesses already struggling to recruit sufficient staff.

In its submission, the Jersey Consumer Council stated that, if the draft Law were adopted, consumers could benefit from increased choice and convenience.¹⁷ It observed that Sunday trading has already proved popular and may provide a welcome boost to St Helier during the peak summer visitor season. The Council also suggested that extended opening hours could support the hospitality sector by attracting more people to cafés and restaurants. However, it acknowledged that uptake may initially be gradual as Islanders adjust, and that some local retailers may opt not to open.

The Jersey Consumer Council also reiterated concerns similar to those raised by Ransoms, noting the potential for higher staffing costs among retailers choosing to trade on Sundays. It cautioned that these increased costs could, in turn, be passed on to consumers through higher prices.

When asked about the economic assessment underpinning the draft Law, the Minister advised that the *“direct economic impact of this deregulation is likely to be small but positive.”*¹⁸ However, the Panel has not seen any evidence to support the Minister’s view.

Conclusion

Whilst the Panel is supportive of the intention behind the draft Law to reduce barriers to business, overall, the Panel finds that the case for repealing the existing law has not been supported by sufficient evidence or adequate assessment of potential impacts. Key risks, particularly those relating to workers’ rights, family life, noise and delivery disturbances, and the effect on neighbouring residents have not been fully evaluated or balanced against the anticipated benefits. Indeed, it is not clear that the intended benefits would actually be achieved through the repeal of this law.

Stakeholder submissions, including from the Comité des Connétables highlight gaps in workforce impact analysis, limitations in relying on existing nuisance legislation, and concerns over the lack of enforceable safeguards.

Consultation on the proposal itself has also been limited, especially when compared with previous reforms, resulting in a narrower range of viewpoints informing the draft Law. If it was the Minister’s desired outcome to see more shops open on Sundays and public holidays it would be logical to consult initially with businesses that do not open

¹⁶ [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Ransoms Garden Centre - 13 March 2026](#)

¹⁷ [Submission - Draft Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Repeal Law 202- Jersey Consumer Council - 16 March 2026](#)

¹⁸ [Letter - Minister for Sustainable Economic Development to the Economic and International Affairs Scrutiny Panel – Follow-up Questions Quarterly Hearing - 27 February 2026](#)

on those days to find out why that is the case. It does not appear to the Panel that this consultation has been undertaken and the evidence available to the Panel further suggests uncertainty about whether the repeal would meaningfully increase Sunday and public holidays trading or deliver a significant economic uplift.

The Panel is not necessarily against the removal of the Sundays and public holidays trading permissions; however, it considers that the potential unintended consequences have not been properly considered. On balance the Panel believe it is more beneficial to retain the current Law because it provides a framework both for regulating Sunday and public holidays opening and for the management of deliveries. The Panel would recommend that the Minister consult with businesses that do not currently open on Sundays and public holidays to understand the actual barriers that might exist and to consult more widely before making any updates to the current Law.

Therefore, the Panel does not support this proposition.