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By email

19th February 2026

Dear Chair,

Draft Alcohol Licensing (Jersey) Law 202- [P.112/2025]

Thank you for your letter of 16th February, in which you ask a number of questions relating to the Draft Alcohol Licensing (Jersey) Law 202-. The Panel has also requested a delay to the debate (currently scheduled for 24th February) on the second reading to allow the Panel to engage with relevant stakeholders, I can confirm that I am happy to provide this additional time and will contact the States Greffe to arrange for the debate to be moved to the 10th March sitting.

I have set out updates to each of your questions below:

1. *Minister the principles of the Draft Alcohol Licensing (Jersey) Law were adopted on 22 January 2026 Are you able to provide the Panel with an overview of the work that has been undertaken by your department since then?*

Following the debate on the principles, I have reflected upon the feedback received from States Members.

While it was clear that Members were supportive of the principles and the vast majority of the Draft Law – they did express concerns over the choice of the Gambling Commission. I have therefore consulted with the Regulation Directorate, and with industry and prepared an amendment which seeks to retain the positive changes in the draft Law while also addressing the concerns expressed by States Members.

In order to draft this Amendment, we have worked behind the scenes to identify how the Amended Law would be delivered and this is addressed further in response to question 3.

2. *What consultation have you undertaken in the formation of your amendment?*
 - a. *Can you advise the Panel if you have met with the Comité des Connétables, Deputy Bailhache or Deputy Alex Curtis regarding their and your amendment?*

I have met briefly with Deputy Bailhache, and my officers have also met with Deputy Curtis. I have also consulted with the Council of Ministers to set out my proposed Amendment.

I have had a meeting with the Comité since the debate on the principles however this was to discuss the Draft Shops (Regulation of Opening and Deliveries) (Jersey) Repeal Law 202-.

- b. *Have you consulted hospitality industry groups on the proposed regulatory changes in your amendment? If so, with whom and what was their feedback?*

Yes, I have discussed these changes with representatives of the Chamber of Commerce and the Jersey Hospitality Association who have both indicated their support for the Amendment.

3. Can you confirm which Officer would be appointed as the authorised person under your proposed amendment?

The Amendment sets out that an authorised person, for the purposes of the Law would be the Chief Officer of Regulation Directorate and any officer of that administration designated by the Chief Officer to be an authorised person.

This means that there would multiple authorised persons but different responsibilities could be held by different officers.

For example, the Chief Officer could delegate responsibility for handling applications to a Technical Support Officer whilst reserving decision making functions to more senior officers. An indicative delegation within the Regulation Directorate was included within the report to the Amendment and is also included as an annex to this letter.

a. What is the justification for concentrating regulatory authority in an individual Chief Officer (or delegated officers)?

Legislation which rests with the Government for regulatory purposes typically follows one of two models in law drafting:

Either the Law will cite all powers as vested in the Minister who will then delegate them via Article 28A of the States of Jersey Law 2005 OR powers will be vested in a named officer or officers.

Both approaches have the same end result, namely that a qualified official discharges specific functions on behalf of Government.

I have chosen the latter option in law drafting to give maximum clarity to States Members and industry, this means that the appointment of the Regulation Directorate will be automatic.

Vesting all power in the Minister could have created confusion as to where exactly the functions would be delivered from and could have also allowed a future Minister to rescind a previous delegation of functions and approve, revoke or suspend licences themselves. I did not feel this would be appropriate as it would politicise alcohol licences and reduce the consistency in decision making in the same way as the Comité's amendment would.

4. What operational changes will be required within the Regulation Department to support the transfer of responsibilities to authorised persons?

These are set out in Annex 1. The Panel will be aware that the Regulation Directorate already supports the administration of the existing Law including the running of all digital systems associated with the law (application, database of licensees, collection of fees etc).

The Directorate also discharges a number of similar laws in which they've clearly demonstrated their capacity to act as a trusted and professional regulator.

5. *Your proposed amendment will insert Articles legally establishing the Alcohol Policy Group and Alcohol Policy Framework whereas the draft Law only included that the Minister may have given guidance to the Commission. Why were these not included in the original draft Law and why are they required now?*

As the Panel notes, these were already features of the unamended Draft Law however, at the request of States Members, I have decided to put these in statute for clarity.

It was not initially felt necessary to place the Alcohol Policy Group onto a statutory basis (although the Minister would have always been required to consult with the Minister for Health & Social Services and the Minister for Justice & Home Affairs prior to issuing guidance).

Having listened carefully to the comments made during the debate on the principles I can see why it is more helpful to remove the ambiguity and state clearly who will comprise the group and what its functions will be.

- a. *In the accompanying report only a representative of the Comité des Connétables was envisaged to have membership of the Alcohol Policy Ministerial Group whereas the Connétable of St. Helier will be a named member under Law in the proposed amendment, can you outline why?*

It was that anticipated in the initial report that the representative of the Comité would typically be the Connétable of St Helier, given the significant share of licensed premises within the Island's capital. In formalising the Alcohol Policy Ministerial Group, we have therefore taken the opportunity to explicitly require that the Connétable of St Helier be a member but have also retained the ability of the Comité to propose another Connétable to join.

6. *Minister, could you outline why civil penalties will be removed in your proposed amendment?*

Several Members asked during the debate on the Principles whether there was really a need to introduce civil penalties.

For clarity, these were included in the (unamended) Draft Law as part of an effort to mirror the existing powers of the Licensing Assembly.

The Panel will note that civil financial penalties are not included within the 1974 Law but nevertheless they are a tool utilised by the Licensing Assembly thanks to successive judgements which it has affirmed establishing a precedent that it possesses 'an inherent jurisdiction' to regulate its own procedure.

Having heard the views of Members, I agree that civil financial penalties are not necessary in the new Law and so have removed them via this Amendment.

- a. *How will this impact enforcement of the alcohol licencing scheme and what measures will be in place to ensure adherence to conditions of a licence?*

Enforcement under the existing 1974 Law is navigated largely via the ability of the Attorney General to refer a matter to the Licensing Assembly via Article 9. The Licensing Assembly is then empowered in the Law to revoke or suspend a licence and this will remain the ultimate sanction in the new Law.

What we have tried to do is create a more proportionate and agile enforcement process so that fewer issues are referred to that final stage of consideration to suspend or revoke a licence.

Under the proposed Law the new power of “Directions” would sit with the Regulation Directorate. This would enable the Directorate to formally instruct a licensee to correct an issue without necessarily reviewing the license in its entirety.

The Draft Law also retains offences where a licensee or their agent has broken the Law or breached the terms of their licence.

This means that fines can still be issued but only as part of a sentence issued by the Court, rather than being issued as spot fines by the Regulator.

7. The Panel notes that, in a previous Quarterly Hearing with the Environment, Housing and Infrastructure Scrutiny Panel, the Minister for the Environment highlighted that the Regulation Department faces significant and often competing pressures. In light of this, could you provide the Panel with information on how you have assessed the Regulation Department’s capacity to manage and process the licensing requests?

The reference in the above question is to the prospect of the Regulation Directorate taking on entirely new work without information around the future resourcing requirements.

This is not the case for alcohol licensing – something which is already administered by the Directorate.

Indeed the Minister for the Environment and the Regulation Directorate have been supportive of my Amendment as they recognise the significant benefits the Directorate will be able to deliver by merging some of the processes and inspections performed across similar legislation – this will not only reduce burdens on businesses but also allow for greater sharing of resources across the Directorate.

8. Minister, was consideration given for the alcohol licensing to have been managed within your department? If so, can you provide information on this?

This was considered at a very early stage when drafting the initial Law. The Department for the Economy is one of the smallest in Government and does not hold experience in regulating a sector such as the hospitality industry.

Where my portfolio holds other regulatory responsibilities, such as under the Policing of Beaches Regulations or the Tourism Order – these functions are delegated to the Regulation Directorate to carry out on my behalf.

9. Minister, can you provide detail on what secondary legislation will be required to enable to the proposed Law, for example regulations concerning excessive noise?

In conversations with the Regulation Directorate we have identified that it will be useful to define excessive noise (which is a general condition for on-licences) either in policy guidance or via regulations. This will be considered as part of the development of the Alcohol Policy Framework.

The Minister will also need to make a fee Order which is addressed further in response to Question 14.

No further secondary legislation will be required.

10. What mechanisms will be available under the new system for individuals, parishes, and other interested parties to make representations on licensing matters, and will these be publicly accessible?

Under the existing Law the only power set out in legislation for the above groups is the requirement for Parish Assemblies to be consulted as part of the application process.

This will continue under the Draft Law but further powers will also be added.

At the suggestion of Deputy Alex Curtis, we have proposed a public submissions function to allow for members of the public to provide their feedback during a brief submission period.

This will be managed via a notification page on gov.je which will also be used to notify the public about the date of the relevant public assembly.

The Draft Law would also give Parish Connétables the same power as the Attorney General (Article 9 of the 1974 Law and Article 12 of the Draft Law) to refer matters to the Regulation Directorate. This would allow for a Parish to request a review of a licence at any time.

Furthermore, the Comité des Connétables would become a statutory consultee for the Alcohol Policy Framework (which would also be debated in the States Assembly).

11. What specific changes does the amendment introduce to the role of Connétables or Parish Assemblies in relation to licensing applications?

The Amendment retains the Draft Law's provisions for Parish Assemblies or for the role of the Parishes.

It further adds the requirement that if the final decision of a licence differs from the recommendation of the Parish Assembly then the Regulation Directorate must provide a written explanation to the Connétable of the Parish.

12. In the report section of the draft Law it states preserve and enhance the role of the Parishes can you provide an overview for the Panel on how this draft Law achieve this?

a. Can you confirm the role of honorary police in inspection of licenced premises and how that would change under the draft Law?

Both the Honorary Police and SOJP will retain their right to enter and inspect licenced premises.

b. The Panel also notes that the "authorised person must have regard to, but not be bound by, the recommendation of the Parish Assembly" does this mean the authorised person could grant or refuse a licence over the Parish recommendation?

Yes, this is the same as under the existing 1974 Law.

However, under my Amendment, the Regulation Directorate would need to provide a written explanation if it does choose to go against the recommendation of the Parish Assembly.

13. Are you able to advise the Panel on how the transitional provisions will work?

The current Law requires licences to be manually renewed by December of each year which provides a natural opportunity to transition onto the new legislation. If adopted, the Draft Law would come into force in Q1 2027 but the transitional provisions would allow licences approved under the outgoing Law to continue to run until the end of 2027 – this means that licensees won't need to re-apply.

Instead the Regulation Directorate will use its existing database to transition licensees onto the new licence format.

Where a licensee only holds one category of licence this will be a like for like copy of conditions.

Where a licensee holds multiple licences for the same premises, they will be issued with a new single licence amalgamating their existing conditions into a single licence.

Licensees will be able to request a review of their new licence via Article 12 of the Draft Law should they wish, for example, to request a change in opening hours and this would then be determined in accordance with the Alcohol Policy Framework and feedback from stakeholders.

14. Can you inform the Panel on the setting, structure and types of fees set out in draft Law?

These are set out in the report accompanying the Draft Law. Officers have begun consultation with industry on a new simple fee structure, but this will be subject to public consultation before it is finalised.

I hope the above information provides clarity to the areas you have raised.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K Morel', with a stylized flourish at the end.

Deputy Kirsten Morel
Minister for Sustainable Economic Development

Annex 1 – Proposed delegation within Regulation Directorate

Description	Delegation	Comments
Application for licences	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer, Regulation Standards Officer, Regulation Standards Senior Technician, Regulation Standards Technician, Technical Support Officer, Assistant Technical Support Officer	Existing process already undertaken by the Regulation Directorate
Inspection of Premises	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer, Regulation Standards Officer	Existing process already undertaken by the Regulation Directorate
Support the consideration of applications by Parish Assembly	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer, Regulation Standards Officer, Regulation Standards Senior Technician, Regulation Standards Technician, Technical Support Officer, Assistant Technical Support Officer	Existing process already undertaken by the Regulation Directorate Officers from across Regulation also attend various stakeholder proceedings under other legislation
Grant or refusal of licences	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Senior Regulation Standards Officer	Licences are currently issued by Regulation under various legislation for example Waste Management (Jersey) Law 2005, Water Resources (Jersey) Law 2007, Public Health and Safety (Rented Dwellings) (Jersey) Law 2018
Provision of copies to the Attorney General	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer, Regulation Standards Officer, Regulation Standards Senior Technician, Regulation Standards Technician, Technical Support Officer, Assistant Technical Support Officer	Existing function in Regulation similar to Statutory Nuisance (Jersey) Law 1999, Waste Management (Jersey) Law 2005, Public Health and Safety (Rented Dwellings) (Jersey) Law 2018
Review of licences	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Office	Existing function in Regulation similar to Food Safety (East Safe Rating) (Jersey) Order 2017
Requirement to publish particulars	Group Director Regulation, Head of Environmental and Consumer Protection,	Existing function in Regulation similar to

	Regulation Standards Manager, Regulation Senior Standards Officer, Regulation Standards Officer, Regulation Standards Senior Technician, Regulation Standards Technician, Technical Support Officer, Assistant Technical Support Officer	Planning and Building (Jersey) Law 2002
Setting conditions of On-Licences	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer, Regulation Standards Officer	Existing function in Regulation similar to Public Health and Safety (Rented Dwellings) (Jersey) Law 2018
Power to enter premises	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer, Regulation Standards Officer	Existing skill set in Regulation similar to Food Safety (East Safe Rating) (Jersey) Order 2017
Art 42 Directions	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer	Licences conditions can be imposed or varied under various legislation including Waste Management (Jersey) Law 2005, Agricultural Land (Control of Sales and Leases) (Jersey) Law 1974 and Public Health and Safety (Rented Dwellings) (Jersey) Law 2018
Suspension or revocation of licence	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer	Licences can be suspended, revoked or withdrawn under various legislation including Waste Management (Jersey) Law 2005 and Public Health and Safety (Rented Dwellings) (Jersey) Law 2018
Notification of decisions	Group Director Regulation, Head of Environmental and Consumer Protection, Regulation Standards Manager, Regulation Senior Standards Officer, Regulation Standards Officer, Regulation Standards Senior Technician, Regulation Standards Technician, Technical Support Officer, Assistant Technical Support Officer	Existing function in Regulation similar to Planning and Building (Jersey) Law 2002