

Comité des Connétables



Our ref: MJ/srdeg/

Deputy M Tadier
Chair
Economic and International Affairs Scrutiny Panel

By email

12 March 2026

Dear Deputy Tadier

Draft Shops (Regulation of Opening and Deliveries) (Jersey) Repeal Law 202- (P.40/2026)

Thank you for your letter inviting insights, comments and perspectives to inform your scrutiny of the Draft Shops (Regulation of Opening and Deliveries) (Jersey) Repeal Law 202- (P.40/2026). I respond to the questions posed in your letter as follows.

1. What consultation has the Comité des Connétables had regarding the repealing Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010 and the associated Shops (Regulation of Opening) (Jersey) Regulations 2011?

The Minister's announcement was made to the Chamber of Commerce in mid-September 2025 - see link *'We'll shortly be rescinding the Shops Regulation of Opening and Deliveries Law which will allow all retailers to trade on Sundays if they chose to do so without any paperwork or permit fees.'* <https://www.gov.je/news/2025/pages/chamberofcommercespeechseptember2025.aspx>

The Comité office received an email from the Government of Jersey on 13 October 2025 (a month later) advising that, *"as the Comité might be aware, the Minister for Sustainable Economic Development recently announced that the [Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Law 2010](#) will be rescinded"*. GoJ welcomed any comments and feedback from the Comité on the repeal and the Code of Conduct.

We replied that as the Minister's announcement was reported in the media, Connétables may have read about this, but the Comité des Connétables had not formally been notified. It was proposed to add this item to the agenda for the meeting on 17 November 2025. To be able to give comments and feedback on the proposed repeal, GoJ was asked to provide the draft Law and Minister's report together with the CRIA so these could be included on the agenda.

At that meeting, views were expressed that deliveries to shops was a cause of concern (these can be managed or restricted under the Sunday trading permit scheme) but Connétables had not received other complaints regarding the current law and they were therefore not supportive of the repeal or of changing the status quo.

The Minister then asked to meet with the Comité and this was arranged for 9 February 2026. The Comité received a presentation regarding the ‘Barriers to Business Report – Jersey Business’ September 2023 and the ‘Jersey Retail 2023 Report’. There has been no consultation with the Comité since the 2023 reports were produced and no advance consultation prior to the Minister’s announcement to the Chamber of Commerce. This is regrettable as we consider the views expressed are important and should have been part of the decision-making process.

While the Connétables recognise the need for modernisation, they remain mindful of the potential nuisance caused by increased noise levels early on Sunday mornings. The Connétables emphasised that a fair balance must be maintained for all members of the public. Each Connétable gives due consideration to the location of retail outlets within their Parish boundaries and surroundings when assessing such matters. The cost or application process for Sunday trading under the current ‘status quo’ is not considered onerous.

The noise of deliveries and the associated disturbance to members of the public during the early hours of Sunday mornings was discussed by Connétables at length, particularly in relation to households situated adjacent to retail premises. 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. Concerns have been raised that permitting early Sunday morning deliveries could lead to increased disturbance for residents in the urban areas of St Helier. Additionally, challenges relating to ‘disturbance policing and enforcement’ and staff willing to work on Sundays due to their family’s needs were identified as matters of concern which would need to be addressed.

2. Can you advise the Panel if you are supportive of the proposed repeal of Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010 and the associated Shops (Regulation of Opening) (Jersey) Regulations 2011?

It is not the Comité’s role to take a view on the proposed repeal, rather it is for each Connétable to decide whether or not this is appropriate taking into account the factors such as those outlined above.

3. Can you advise the Panel if you feel that the Law should be amended instead of being repealed?

This is not something the Comité has discussed but having regard to some of the comments, there may well be a compromise option. The current law differentiates between shops above 700 sq.m. (restricted hours permit) and those below 700 sq.m. (general permit). For example, replacing the general permit with a power for the parishes to intervene and impose restrictions if a sub-700 sq.m. shop's unregulated opening on Sundays and public holidays causes significant disturbance or other significant negative environmental impact in a locality could reduce bureaucracy for sub-700 sq.m. shops and for parishes. A simple amendment could repeal the General Permit but replace it. It could also be supplemented with a proportionate blanket restriction on Christmas Day / other holiday opening.

In summary and for ease of reference, in addition to any other conditions the permits/restrictions are:

- General permit – shops up to 700 sq.m., may not open on Christmas Day

- Restricted hours permit – shops over 700 sq.m., may not open on Christmas Day or 26th December
- Single permit - may not open on Christmas Day or 26th December or on more than 5 dates in a calendar year.

4. What impact do you anticipate if the (Regulation of Opening and Deliveries) (Jersey) Law 2010 and the associated Shops (Regulation of Opening) (Jersey) Regulations 2011 are repealed to have on Parishes?

As outlined above, the impact is likely to be increased complaints regarding noise and disturbance occurring on a day when many considering it should be ‘quieter’.

It should be noted that the Law also applies to the opening of shops on Good Friday, Liberation Day, Christmas Day and 26th December. The repeal of the Law will result in no control on shops opening on those days. In contrast to the short report proposing the repeal of the current law, the report proposing it in 2009 [Draft Shops Regulation of Opening and Deliveries Jersey](#)– is more comprehensive and refers to public consultation, the Jersey Annual Social Survey and events (such as car boot sales). That report also explained why the States added ‘Liberation Day’ to the Law in 1999 to ensure that this important day in the Island’s calendar was observed.

The 2011 Regulations prevent any shop opening on Christmas Day. Only shops with a retail sales area of no more than 700 sq.m. may open on 26th December so larger shops may not open. This ensures that many who work in the wholesale and retail sectors have the opportunity, like the rest of the population, to enjoy these as a common day off.

The 2021 Census shows 12% of working adults are employed in the wholesale and retail sector and these, and their families, will potentially be affected (the CRIA says the repeal is “not likely to neither positively or negatively impact children” but childcare provision is likely to be required if family members are required to work). Unless the nature of specific days is protected, then there will be a potential impact on children whose parents/carers have to work on the specified days (Good Friday, Liberation Day, Christmas Day, 26th December or any Sunday) or who have to work unsociable hours.

5. How might the removal of shops needing to obtain a permit opening and delivery hours on Sunday and public holidays affect parishes?

The main effect is the potential for increased complaints, as mentioned above, and that there will be no effective remedy to limit early deliveries etc.

The code of conduct proposed by the Chamber of Commerce, as seen by the Comité, is voluntary and uses language such as retailers “are encouraged to ...”, “where possible ...”; and “this Code is not legally binding ...”.

The Minister’s suggestion is that the Statutory Nuisances (Jersey) Law 1999 is the mechanism to address noise that may arise from deliveries. It should be noted that, if approved by the States and Privy Council, the repeal takes effect 7 days after registration in the Royal Court and this leaves little time for an effective process to be implemented by Environmental Health. 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 (see gov.je/government/freedomofinformation/pages/foi.aspx?ReportID=6417) 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. Would there be any financial loss for the parishes if there would no longer be a need to obtain a permit?

A fee is payable for applications and this will be lost if a permit is no longer required.

7. Would there be a saving in terms of administration for the parishes if this was repealed?

There would be a saving in issuing permits but there will be an increased administrative burden if there are more complaints about nuisance and disruption on Sundays, Good Friday, Liberation Day, Christmas Day and 26th December.

8. Do you have any comments on the proposed removal of clause Article 66(b) of the Licensing (Jersey) Law 1974, clause (ii) as a consequence of the repeal?

This relates to general conditions for off licences which are granted subject to the condition that the public are not permitted on such licensed premises on a Sunday, Good Friday, Christmas Day or Liberation Day, at any time, unless a permit under the [Shops \(Regulation of Opening and Deliveries\) \(Jersey\) Law 2010](#) is in force in relation to the premises. Should the Shops Law be repealed then this reference would also need to be repealed as there will be no Law under which to issue a permit.

Yours sincerely



Michael Jackson
Chairman, Comité des Connétables