

PROJET DE LOI

ENTITLED

The Sunday Trading (Guernsey) Law, 1973 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XXIV, p. 48.

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ARRANGEMENT OF SECTIONS

1. States may regulate or prohibit Sunday trading.
2. Variation or repeal of Ordinances.
3. Offences.
4. Penalties to be prescribed by Ordinance.
5. Repeals.
6. Interpretation.
7. Citation.
8. Commencement.

SCHEDULE Laws repealed.

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THE STATES, in pursuance of their Resolution of the thirty-first day of May, nineteen hundred and seventy-two, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.

States may regulate or prohibit Sunday trading.

1. (1) The States may, from time to time, by Ordinance make such provision as they may deem necessary or expedient for regulating or prohibiting the opening of banks or the opening of shops for the serving of customers on Sundays and, without prejudice to the generality of the foregoing, they may, from time to time, by Ordinance, in particular, make provision for all or any of the following matters –

- (a) the exemption from the provisions of any such Ordinance of such classes or descriptions of shops as may be specified in the Ordinance subject to such conditions, for such period in any year and during such hours on Sundays as may be so specified,
- (b) the opening of shops for the serving of customers on Sundays for the purposes of such transactions as may be specified in any such Ordinance subject to such conditions and during such hours as may be so specified,
- (c) empowering the Constables of a Parish, with the authority of the Douzaine of that Parish, to grant a special dispensation for a shop in that Parish to be open for the serving of customers on Sundays when

there are exceptional reasons for the shop to be so open subject to such conditions as may be specified in the special dispensation,

- (d) the delivery or dispatch for delivery of goods sold retail to a customer at any time on a Sunday when under the provisions of any such Ordinance a customer may not be served with those goods in that shop
- (e) the sale, dispatch or delivery of victuals, stores or other necessities required by any person for a ship or an aircraft on her arrival at, or immediately before her departure from, Guernsey, Herm or Jethou on Sundays,
- (f) the sale, dispatch or delivery of petrol, diesel oil or lubricants to the owner or person in charge of a ship or an aircraft on Sundays,
- (g) the extension of any of the provisions of any such Ordinance to any place where any retail trade or business is carried on as if that place were a shop,
- (h) such incidental and supplementary matters for which the States deem it necessary or expedient for the purposes of any such Ordinance to provide.

(2) An Ordinance made under the provisions of this section may make different provisions for different classes or descriptions of shops and for different transactions and may make different provisions for different categories within those classes or descriptions.

Variation or repeal of Ordinances.

2. Any power conferred by this Law to make any Ordinance shall be construed as including a power exercisable in the like manner to vary or repeal the Ordinance.

NOTE

The following Ordinance has been made under section 2:

Sunday Trading (Repeal) Ordinance, 2015.

Offences.

3. Save as otherwise expressly provided by that Ordinance, any person who contravenes or attempts to contravene or fails to comply with any of the provisions of any Ordinance made under the provisions of this Law or any conditions attached to any special dispensation granted under or by virtue of that Ordinance shall be guilty of an offence under that Ordinance.

Penalties to be prescribed by Ordinance.

4. The States may, from time to time, by Ordinance prescribe the penalties which shall be incurred by any person guilty of any offence under any Ordinance made under the provisions of this Law and different penalties may be so prescribed for different offences.

Repeals.

5. The enactments set out in the Schedule to this Law are hereby repealed.

Interpretation.

6. In this Law, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"**retail trade or business**" includes the business of a barber or hairdresser, the sale of refreshments, the business of lending books or periodicals when carried on for purposes of gain, and retail sales by auction, but does not include the sale of programmes and catalogues and other similar sales at theatres and places of amusement,

"**ship**" means anything for the conveyance by water of human beings

or of property,

"shop" includes any premises where any retail trade or business is carried on,

"owner" includes a charterer.

Citation.

7. This Law may be cited as the Sunday Trading (Guernsey) Law, 1973.

Commencement.

8. This Law shall come into force on such day as the States may by Ordinance appoint.

NOTE

The Law was brought into force on 31st July, 1974 by the Sunday Trading (Guernsey) Law, 1973 (Commencement) Ordinance, 1974, section 1.

SCHEDULE
LAWS REPEALED

Section five

The Law entitled "Loi interdisant l'ouverture des magasins le Dimanche" registered on the fifteenth day of April, nineteen hundred and eleven^a.

The Sunday Trading (Amendment) Law, 1951^b.

^a Ordres en Conseil Vol. IV, p. 368.

^b Ordres en Conseil Vol. XV, p. 34.