



Jersey

PUBLIC MARKETS (ADMINISTRATION) (JERSEY) REGULATIONS 1947

Official Consolidated Version

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PUBLIC MARKETS (ADMINISTRATION) (JERSEY) REGULATIONS 1947

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PUBLIC MARKETS (ADMINISTRATION) (JERSEY) REGULATIONS 1947¹

THE STATES, by virtue and in exercise of the powers conferred upon them by the [Loi \(1885\) touchant l'Administration des Marchés Publics](#), have made the following Regulations –

Commencement [[see endnotes](#)]

PART 1

GENERAL

1 Definitions

In these Regulations –

“Inspector” has the meaning assigned thereto in Regulation 2;

“lessee” means the lessee of any stall or shop in any of the Markets;

“Markets” means the markets under the administration of the Minister in the Town of Saint Helier;

“Medical Officer of Health” and “Sanitary Inspector” mean respectively the “Inspecteur Médical” and the “Inspecteur Sanitaire” appointed under Article 10 of the [“Loi \(1934\) sur la Santé Publique”](#);

“Minister” means the Minister for Infrastructure.²

2 Inspector of Markets

- (1) The Minister shall appoint an Inspector of the Markets (hereinafter referred to as the “Inspector”) to superintend the general administration of the Markets, and to perform such other duties as are imposed upon the Inspector by these Regulations, and such appointment shall be on such conditions as the Minister may determine:

Provided that the Inspector of the Markets in office at the time of the coming into force of these Regulations shall be deemed to have been appointed to that office by virtue of these Regulations.

- (2) The Inspector shall, upon appointment, take oath before the Royal Court well and faithfully to discharge the duties of the Inspector's office.

3 Use of Markets for specified purposes

The Minister may direct –

- (a) that specified classes or descriptions of merchandise or commodities shall not be sold within the Markets;
- (b) that any part of the Markets shall be used for the sale of specified classes or descriptions of merchandise or commodities only.

4 Opening and closing of Markets

- (1) The Markets shall be open to the public on weekdays (other than Bank Holidays) between such hours as the Minister may determine, and it shall be the duty of the Inspector to cause the gates of the Markets to be opened or closed, as the case may be, punctually at such times as may be so determined, and, before closing the Markets, to ensure that everything therein is in order.³
- (2) Except with the permission of the Inspector, no person, other than an employee or servant of the Minister, shall be within the Markets when the same are closed to the public:

Provided that the Inspector shall permit a lessee to have access to the lessee's shop or stall at all reasonable times for the purposes of the lessee's business, and may permit any other person to be within the Markets.

5 Repair of Markets

The Inspector shall ensure that the buildings and all parts of the Markets are kept in a fit state of repair and shall report to the Minister in any case in which it appears to the Inspector that repairs are required.

PART 2

PROVISIONS RELATING TO PUBLIC HEALTH

6 Cleansing of Markets

The Inspector shall cause the Markets to be swept, and the tables used for the sale of fish to be washed, on every day on which the Markets are open to the public, at such time and in such manner as not to cause any interruption to the transaction of business in the Markets.

7 Cleansing of shops and stalls

- (1) Every lessee shall keep the lessee's shop or stall in a suitable state of cleanliness.
- (2) All persons handling in, or transporting to, the Markets, any food which is intended for human consumption shall at all times take all possible precautions to keep such food clean and wholesome.

8 Sales of fish

Any person selling fish shall keep the table or part thereof allotted to the person's use in a state of the greatest possible cleanliness.

9 No commodities to be placed on ground

No person shall, except with the permission of the Inspector, place any commodity outside the external boundary of the person's shop or stall, or at a height of less than 18 inches from the ground.

10 Noxious substances and fires

- (1) No person shall take or allow to be taken into the person's shop or stall any noxious substance.
- (2) No person shall permit any fire or naked flame to be alight in the person's shop or stall when the Markets are closed to the public.

PART 3**LETTING OF SHOPS AND STALLS, ETC.****11 Letting of shops and stalls**

- (1) The Inspector, acting under general or specific instructions of the Minister, shall be entrusted with the letting of shops and stalls within the Markets.
- (2) No person, not being a person to whom such a shop or stall has been let as aforesaid, shall sell or offer or expose for sale any article within the Markets.

12 Numbering of shops and stalls and display of lessee's name

- (1) Every shop or stall within the Markets shall be numbered and its extent shall be clearly marked.
- (2) Every lessee shall cause the lessee's name to be displayed on the shop or stall let to the lessee.
- (3) All names shall be displayed so far as possible in a uniform manner and the lessee shall follow the directions of the Inspector in this matter.

- (4) No person shall erect or cause to be erected any part of a shop or stall, including that portion of the shop or stall on which the name of the lessee is displayed, to a height greater than 8 feet from the ground.

13 Register of leases

The Inspector shall keep a register of leases granted, in which there shall be entered –

- (a) the number of the shop or stall;
- (b) the name of the lessee for the time being;
- (c) the date of the granting of the lease and the rental payable; and
- (d) the duration of the lease.

14 Payment of rentals

The rentals of shops and stalls shall be paid in advance to the Inspector, who shall, at the time of such payment give to the lessee a receipt therefor.

15 Instructions of Inspector to be complied with

Every person within the Markets shall comply with all such reasonable instructions as may be given by the Inspector by virtue of the powers conferred upon the Inspector by these Regulations, and with all other reasonable requirements of the Inspector.

16 Auction sales and sales in Cattle Market

- (1) No person shall sell or offer to sell any goods by auction within the Markets, except within that portion of the Markets known as the Cattle Market, and except with the consent in writing of the Inspector previously obtained, and the person to whom any such consent is given shall pay to the Inspector, for every pound or part of a pound of the price paid for every lot so sold, the sum of 3p.
- (2) Every person selling or offering for sale within the Cattle Market otherwise than by auction any animal or any vehicle (whether mechanically propelled or not) shall pay to the Inspector in respect of each such animal and each such vehicle the sum of 5p, except that, in the case of a sucking pig, the sum payable shall be 3p.

17 Vehicles

- (1) No person shall take or cause to be taken into the Markets any mechanically-propelled or horse-drawn vehicle:

Provided that this paragraph shall not apply to that portion of the Markets known as the Cattle Market.
- (2) No person shall ride a bicycle or tricycle within the Markets.

- (3) Any person in charge of a vehicle drawn by hand shall, immediately upon being required by the Inspector so to do, remove the same from the Markets.

18 Dogs

No person shall take any dog into the Markets except on a leash.

19 Penalties

Any person who acts in contravention of or fails to comply with any of the provisions of –

- (a) Regulation 7 shall be liable, in respect of each offence, to a fine of level 3 on the standard scale;
- (b) Regulation 10 shall be liable, in respect of each offence to a fine of level 2 on the standard scale;
- (c) Regulation 11, 14, 15 or 16 shall be liable in respect of each offence to a fine of level 2 on the standard scale;
- (d) Regulation 4, 8, 9 or 17 shall be liable in respect of each offence to a fine of level 1 on the standard scale;
- (e) Regulation 18 shall be liable in respect of each offence to a fine of level 1 on the standard scale.⁴

20 Power to levy fines summarily

- (1) Fines leviable for contravention of Regulations 4, 8, 9, 17 and 18 may be levied summarily by the Inspector.
- (2) Where the Inspector levies any fines as aforesaid or where payment of the fine is refused, the Inspector shall report the facts of the case to the Connétable of the parish concerned.
- (3) The Inspector shall keep a sufficient record of all fines levied by the Inspector in pursuance of this Regulation and shall, on every quarter-day, remit to Her Majesty's Receiver-General the amount of any fines received by the Inspector.

21 Citation

These Regulations may be cited as the Public Markets (Administration) (Jersey) Regulations 1947.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	*Projet No (where applicable)
Public Markets (Administration) (Jersey) Regulations 1947	R&O.1759	12 April 1947	
Food and Drugs (Jersey) Law 1966	L.9/1966	1 May 1967 (R&O.4913)	
Public Markets (Administration) (Amendment) (Jersey) Regulations 2002	R&O.39/2002	16 May 2002	P.53/2002
Transfer of Functions (Environment and Public Services Committee) (Jersey) Act 2003	R&O.64/2003	1 August 2003	P.100/2003
States of Jersey (Amendment and Construction Provisions No. 12) (Jersey) Regulations 2005	R&O.133/2005	9 December 2005	P.217/2005
States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 2015	R&O.158/2015	1 January 2016	P.46/2015 (re-issue)
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)	P.87/2015
Animal Health (Jersey) Law 2016	L.12/2016	1 February 2017 (R&O.2/2017)	P.17/2016

*Projets available at www.statesassembly.gov.je

Table of Renumbered Provisions

Original	Current
PART I	PART 1
PART II	PART 2
8	repealed by L.9/1966
9	8
10	9
11	10
PART III	PART 3
12	11
13	12
14	13

Original	Current
15	14
16	15
17	16
18	17
19	18
20	19
21	20
22	repealed by R&O.39/2002
23(1)	21
(2)	spent, omitted from this revised edition

Table of Endnote References

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- ¹ *These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 12) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.*
- ² *Regulation 1 amended by R&O.39/2002, R&O.158/2015, L.12/2016*
- ³ *Regulation 4(1) amended by R&O.39/2002*
- ⁴ *Regulation 19 amended by L.9/1966, L.1/2016*