

GUERNSEY STATUTORY INSTRUMENT

2002 NO. 41

**The Sunday Trading (Transitional Provisions) Regulations,
2002**

<i>Made</i>	<i>15th November 2002</i>
<i>Coming into operation</i>	<i>1st January 2003</i>
<i>Laid before the States</i>	<i>2002</i>

THE STATES BOARD OF INDUSTRY, in exercise of the powers conferred on it by section 35 of the Sunday Trading Ordinance, 2002^a and all other powers enabling it, hereby makes the following Regulations: -

Citation, commencement and interpretation.

1. (1) These Regulations may be cited as the Sunday Trading (Transitional Provisions) Regulations, 2002 and shall come into force on the 1st January 2003.

(2) In these Regulations, unless the context otherwise requires -

“the 1974 Ordinance” means the Sunday Trading (Implementation) Ordinance, 1974^b;

“the 2002 Ordinance” means the Sunday Trading Ordinance 2002

^a Ordinance No. XIV of 2002.

^b Recueil d'Ordonnances Vol. XIX, p.263.

“licence” includes a Sunday opening licence and a special event licence but does not include an emergency licence; and

“the transitional period” means the period 1st January to 31st January 2003 inclusive.

(3) The provisions of the Interpretation (Guernsey) Law, 1948^c apply to the interpretation of these Regulations as they apply to an enactment.

Application of section 1(1) during transitional period.

2. During the transitional period section 1(1) of the 2002 Ordinance shall not apply in respect of a shop -

- (a) for which a special dispensation granted under section 3 of the 1974 Ordinance was in force during December 2002

PROVIDED that there is no contravention or failure to comply with any conditions specified in that special dispensation; or

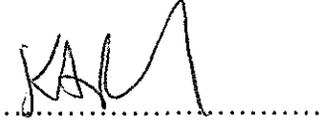
- (b) which is open for the serving of customers on a Sunday -
 - (i) for the purposes of any transaction mentioned in the Schedule to the 1974 Ordinance; or
 - (ii) in order to do any of the things referred to in section 5(a) or (b) of the 1974 Ordinance.

Transitional provisions concerning licences.

3. A licence shall have no effect during the transitional period.

^c Ordres en Conseil Vol. XII, p. 355.

Dated this 15th day of November, 2002.

A handwritten signature in black ink, appearing to read 'K. A. Prevel', is written over a horizontal dotted line.

K. A. Prevel

Vice - President of the States Board of Industry

For and on behalf of the Board.

EXPLANATORY NOTE.

(This note is not part of the Regulations)

These Regulations, made under the Sunday Trading Ordinance, 2002, make certain transitional provisions relating to the opening of shops for the serving of customers on a Sunday during the period 1st January to 31st January 2003 inclusive ("the transitional period"). Under regulation 2, during the transitional period shops holding special dispensations during December 2002 under the Sunday Trading (Implementation) Ordinance, 1974, may lawfully open for the serving of customers on a Sunday without the need for a licence granted under the 2002 Ordinance. Shops not having licences may also, during the transitional period, lawfully open for the serving of customers on a Sunday where they are open for certain purposes referred to in sections 4 and 5 of the 1974 Ordinance. Regulation 3 provides that no licence granted under the 2002 Ordinance shall have effect during the transitional period, except an emergency licence.