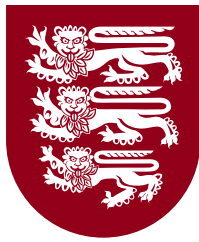


STATES OF JERSEY



Jersey

DRAFT SINGLE-USE PLASTICS ETC. (RESTRICTIONS) (JERSEY) AMENDMENT No. 2 LAW 202-

**Lodged au Greffe on 4th March 2025
by the Minister for Infrastructure
Earliest date for debate: 22nd April 2025**

STATES GREFFE



Jersey

DRAFT SINGLE-USE PLASTICS ETC. (RESTRICTIONS) (JERSEY) AMENDMENT No. 2 LAW 202-

European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Minister for Infrastructure has made the following statement –

In the view of the Minister for Infrastructure, the provisions of the Draft Single-Use Plastics etc. (Restrictions) (Jersey) Amendment No. 2 Law 202- are compatible with the Convention Rights.

Signed: **Connétable A.N. Jehan of St. John**

Minister for Infrastructure

Dated: 4th February 2025

REPORT

1 Background

The [Single-Use Plastics etc. \(Restrictions\) \(Jersey\) Law 2021](#) is primary legislation established to reduce the Island's use of avoidable single use plastics and support Jersey's carbon neutral policy.

The [Single-Use Plastics etc. \(Restrictions\) \(Jersey\) Amendment Law 202-](#) was agreed by the States Assembly in December 2024 and brought Single-Use Vapes into the scope of the Law.

An error in this Law was subsequently discovered, where the Royal Court was referenced instead of the Magistrate's Court. This error needs to be addressed before the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment Law 202- can be brought into force.

Law drafting instructions were approved by Ministerial Decision in January 2025 to amend the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 to correct the error at Article 7(4)(b) of the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 as amended by the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment Law 202-, so that it is the leave of the Magistrate's Court that is referred to and not the Royal Court.

The proposed Amendment Law simply changes that one word in the Law and makes no other changes.

It is the recommendation of this report that the members of the States Assembly vote in favour of the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment No. 2 Law 202- so that the ban on single use vapes can be delivered.

2 Resource and financial implications

As this amendment is a matter of procedural provision there are no resource implications.

3 Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.

This amendment is a matter of procedural provision only and therefore is not deemed to alter the findings of that CRIA.

4 European Convention on Human Rights

No human rights notes are annexed because the Law Officers' Department have indicated that the draft Amendment Law does not give rise to any human rights issues.

5 Recommendation

The Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 was implemented to 'reduce waste, increase reuse and support Jersey's Carbon Neutral Strategy'. This was amended through the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment Law 202- to deliver a ban on single use vapes.

It is the recommendation of this report that the States Assembly vote in favour of the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment No. 2 Law 202- in order to correct the reference to the Royal Court to the Magistrate's Court so that the ban on single use vapes can be delivered.

EXPLANATORY NOTE

This Law, if passed, will amend the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 (the “2021 Law”) to correct a procedure referred to in Article 7 (defence of due diligence). Article 7(4)(b) of the 2021 Law, as amended by the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment Law 202-, refers to the Royal Court. It should instead refer to the Magistrate’s Court, and this Law makes that amendment.

This Law comes into force immediately after the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment Law 202- comes into force.



Jersey

DRAFT SINGLE-USE PLASTICS ETC. (RESTRICTIONS) (JERSEY) AMENDMENT No. 2 LAW 202-

A **LAW** to amend further the [Single-Use Plastics etc. \(Restrictions\) \(Jersey\) Law 2021](#).

<i>Adopted by the States</i>	<i>[date to be inserted]</i>
<i>Sanctioned by Order of His Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

THE STATES, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

1 [Single-Use Plastics etc. \(Restrictions\) \(Jersey\) Law 2021](#) amended

This Law amends the [Single-Use Plastics etc. \(Restrictions\) \(Jersey\) Law 2021](#).

2 **Article 7 (defence of due diligence) amended**

In Article 7(4)(b), for “Royal Court” there is substituted “Magistrate’s Court”.

3 **Citation and commencement**

This Law may be cited as the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment No. 2 Law 202- and comes into force immediately after the Single-Use Plastics etc. (Restrictions) (Jersey) Amendment Law 202- comes into force.