

STATES OF JERSEY



DRAFT PRICE INDICATORS (AMENDMENT No. 2) (JERSEY) REGULATIONS 201-

**Lodged au Greffe on 8th August 2016
by the Minister for Economic Development, Tourism, Sport and Culture**

STATES GREFFE



Jersey

DRAFT PRICE INDICATORS (AMENDMENT No. 2) (JERSEY) REGULATIONS 201-

REPORT

Introduction

The Price Indicators (Jersey) Regulations 2008 require traders who offer goods for sale to consumers to indicate the ‘selling price’, which is inclusive of GST.

Regulation 3 details how this price is to be displayed.

‘Exceptions’ are contained within the Regulations allowing traders to charge a different price to those pre-printed on the goods if they are –

- (a) pre-packaged food, newspapers, books or periodicals, and
- (b) the price was pre-printed on the goods before first importation into Jersey.

Consultation before the enabling Law and Regulations were implemented highlighted the fact that it would be unfair to expect traders to absorb the GST element on certain pre-priced and imported zero UK VAT rated goods. Re-packaging or individually removing and re-pricing each item was not economically viable. This could lead to traders reducing the range of goods they made available in Jersey.

Therefore these ‘exceptions’ were included within the Regulations, allowing traders to uplift the price without having to re-price or re-package these ‘excepted’ goods.

Regulation 3(4)(b) and (5)(b) allows the selling price to be determined by a combination of the price marked on the goods and displaying the amount or the percentage of that price which is to be added to the price marked, in order to determine the selling price.

Proposed amendment

The recent decision to print national newspapers in Jersey has been welcomed. The digital content is supplied by a number of national newspapers, imported and printed locally in its original format. These national newspapers therefore indicate the UK price.

The Regulations do not allow for traders to uplift these prices to accommodate GST, as the exception only applies to newspapers ‘printed with a price marked on it before its importation into Jersey’. It would clearly be impractical and uneconomical to expect traders to individually re-price every national newspaper.

This amendment therefore extends the circumstances under which traders can use the exceptions to include ‘digital imports’. Traders can then continue to price national newspapers in the same way as they have been doing since the introduction of GST.

This amendment will also remove barriers in potentially opening up opportunities for other media, such as popular magazines and TV schedule guides, to be printed in the same way on-Island.

The opportunity has also been taken to give traders another option available to them to indicate the selling price of these excepted goods, which is being utilised but was not accounted for in the current Regulations.

This option allows traders to display the excepted goods and indicate the selling price on a shelf-edge label or notice, with appropriate signage bringing to the customers' attention that the price charged is the price on the shelf or notice, and not the price on the goods.

Consumers will be able to make informed decisions based on the display of the GST inclusive selling price, without having to add amounts or percentages to the pre-printed price.

Financial and manpower implications

There are no financial or manpower implications for the States arising from the adoption of these draft Regulations.

Explanatory Note

These Regulations amend Regulation 3 of the Price Indicators (Jersey) Regulations 2008 –

- (a) to extend the circumstances in which traders may use the exceptions contained in Regulation 3(5) of those Regulations to indicate the selling price of newspapers, periodicals and books so as to include the importation of digital content prior to printing in Jersey; and
- (b) to allow traders to indicate the selling price of excepted goods (food and newspapers, periodicals and books) by a combination of the price marked on the goods and an indication of the selling price and appropriate notice in proximity to the goods.



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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, in pursuance of Article 2 of the Price and Charge Indicators (Jersey) Law 2008¹, have made the following Regulations –

1 Amendment of Regulation 3 of the Price Indicators (Jersey) Regulations 2008

In Regulation 3 of the Price Indicators (Jersey) Regulations 2008², for paragraphs (4) and (5) there shall be substituted the following paragraphs –

“(4) Where –

- (a) before its importation into Jersey, food is packaged in the units in which it is to be sold to consumers and a price, in sterling, is marked on the packaging; and
- (b) the price marked on the packaging is not the selling price,
the selling price may be indicated by a combination of the price marked on the packaging and either –
 - (i) an indication of the selling price of the food in proximity to the food and a notice indicating that the selling price of the food is that price and not the price marked on the packaging, or
 - (ii) an indication of the amount, or of the percentage of the price marked on the packaging, which is to be added to that price in order to determine the selling price.

(5) Where –

- (a) a newspaper, periodical or book is printed with a price, in sterling, marked on it before its importation into Jersey, or is imported into Jersey in digital format with a price, in sterling, marked on it and is printed in Jersey with that price marked on it; and
- (b) the price marked on the newspaper, periodical or book is not the selling price,

the selling price may be indicated by a combination of the price marked on the newspaper, periodical or book and either –

- (i) an indication of the selling price of the newspaper, periodical or book in proximity to the newspaper, periodical or book and a notice indicating that the selling price of the newspaper, periodical or book is that price and not the price marked on the newspaper, periodical or book, or
- (ii) an indication of the amount, or of the percentage of the price, marked on the newspaper, periodical or book which is to be added to that price in order to determine the selling price.”.

2 Citation and commencement

These Regulations may be cited as the Price Indicators (Amendment No. 2) (Jersey) Regulations 201- and shall come into force 7 days after they are made.

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- ¹ *chapter 05.610*
² *chapter 05.610.50*