



Jersey

SINGLE-USE PLASTICS ETC. (RESTRICTIONS) (JERSEY) LAW 2021

Official Consolidated Version

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SINGLE-USE PLASTICS ETC. (RESTRICTIONS) (JERSEY) LAW 2021

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Jersey

SINGLE-USE PLASTICS ETC. (RESTRICTIONS) (JERSEY) LAW 2021

A **LAW** to prohibit the supply and importation of certain single-use or non-recyclable items and to set a price for the supply of reusable carrier bags, and for connected purposes.¹

Commencement [[see endnotes](#)]

1 Interpretation

(1) In this Law –

“Agent of the Impôts” is to be construed in accordance with Article 4 of the [Customs and Excise \(Jersey\) Law 1999](#);

“authorised officer” means a person authorised, by the Minister, the Agent of the Impôts or the Chief Inspector, to carry out the functions of an authorised officer under this Law;

“Chief Inspector” is to be construed in accordance with Article 2 of the [Weights and Measures \(Jersey\) Law 1967](#);

“gsm” means grammes per square metre;

“import” has the same meaning as given by Article 1(1) of the [Customs and Excise \(Jersey\) Law 1999](#);

“micron” means one thousandth (0.001) of a millimetre;

“Minister” means the Minister for Infrastructure;

“prohibited item” has the meaning given in Article 2(1);

“restricted item” has the meaning given in Article 3(1);

“single-use vape” means a vape that is not designed or not intended for 1 or more of the following –

- (a) to be reused;
- (b) to be refilled with the substance that is intended to be vaporised or aerosolised, whether by refilling or replacing a container in the vape;
- (c) to have its battery recharged; or
- (d) to have a coil that can be replaced by an individual in the normal course of use;

“supply” –

- (a) means –

- (i) selling, hiring out or lending an item,
- (ii) entering into a hire purchase agreement to provide an item,
- (iii) providing an item in exchange for anything of value other than money,
- (iv) providing an item in, or in connection with, the performance of a statutory function, or
- (v) giving an item as a prize or gift;
- (b) includes any offer, agreement, exposure or possession of an item for the purposes of supply; and
- (c) excludes anything that is –
 - (i) done only for the purpose of waste management, and
 - (ii) approved by the Minister;

“trader” means a person acting for purposes relating to that person’s commercial activity, including for charitable purposes whether acting in person or through another person acting in the trader’s name or on the trader’s behalf;

“vape” –

- (a) means a device that vaporises or aerosolises substances for inhalation through a mouthpiece; but
- (b) excludes a device that is a medical device, as defined in Regulation 1 of the [Protection of Children \(Nicotine Inhaling Products\) \(Jersey\) Regulations 2016](#), unless the device is intended to enable inhalation of nicotine;

“writing” includes writing in an electronic form.²

- (2) For the purposes of this Law an item is made of recyclable material if the item consists, in a recyclable form, only of material of a specified description and does not consist of, or contain, any additional material which cannot be recycled.

2 Trader must not supply certain single-use or non-recyclable items³

- (1) A trader must not supply an item of a type and description specified in paragraph 1 of the Schedule (a “prohibited item”), regardless of whether –
 - (a) the supply takes place in person or electronically; or
 - (b) a charge is made in relation to the supply.⁴
- (2) ⁵
- (3) ⁶
- (4) If the Minister, the Chief Inspector or an authorised officer reasonably suspects that a trader is acting in breach of paragraph (1), the Chief Inspector or authorised officer may give a notice to the trader requiring them to stop supplying items of the type and description specified in the notice.⁷
- (5) Before giving the notice, the Chief Inspector or authorised officer must, if practicable, give the trader a reasonable opportunity to express their views or to voluntarily comply with the requirement in the notice.⁸
- (6) The notice must –
 - (a) contain or be accompanied by the following information –
 - (i) the requirement in paragraph (4),

- (ii) details of the alleged breach,
 - (iii) the type of item supplied and, if necessary, a description of the item sufficient to identify it,
 - (iv) a statement that an appeal may be made against the notice under Article 9, and
 - (v) any other information that the Minister considers necessary;
- (b) be given in writing; and
 - (c) be delivered to the trader's registered or administrative office or, if the address of that office cannot be determined, to a person who controls or manages the place where the item was supplied.⁹
- (7) A person who intentionally and without reasonable excuse fails to comply with a notice under paragraph (4) commits an offence and is liable to a fine of level 2 on the standard scale.
- (8) See Article 15A(a) for the power to make an Order to suspend or disapply this Article in relation to specified types of prohibited items or in specified circumstances.¹⁰

2A Individual must not supply single-use vapes¹¹

- (1) An individual must not supply a single-use vape, regardless of whether –
- (a) the supply takes place in person or electronically; or
 - (b) a charge is made in relation to the supply.
- (2) If the Minister, the Chief Inspector or an authorised officer reasonably suspects that an individual is acting in breach of paragraph (1), the Chief Inspector or authorised officer may give a notice to the individual requiring them to stop supplying items specified in the notice.
- (3) Before giving the notice, the Chief Inspector or authorised officer must, if practicable, give the individual a reasonable opportunity to express their views or to voluntarily comply with the requirement in the notice.
- (4) The notice must –
- (a) contain or be accompanied by the following information –
 - (i) the requirement in paragraph (2),
 - (ii) details of the alleged breach,
 - (iii) the type of item supplied and, if necessary, a description of the item sufficient to identify it,
 - (iv) a statement that an appeal may be made against the notice under Article 9, and
 - (v) any other information that the Minister considers necessary;
 - (b) be given in writing; and
 - (c) be delivered to the individual's usual or last known address.
- (5) An individual who intentionally and without reasonable excuse fails to comply with a notice given under paragraph (2) commits an offence and is liable to a fine of level 2 on the standard scale.

3 Price of certain restricted items

- (1) A trader must not supply an item of a type and description specified in the table in paragraph 2 of the Schedule (a “restricted item”), except for a price at or above that specified in the table.¹²
- (2) If the Minister, the Chief Inspector or an authorised officer reasonably suspects that a trader is acting in breach of paragraph (1), the Chief Inspector or authorised officer may give a notice to the trader requiring them to stop supplying items of the type and description specified in the notice at a price below that specified in paragraph 2 of the Schedule.¹³
- (3) Before giving the notice, the Chief Inspector or authorised officer must, if practicable, give the trader a reasonable opportunity to express their views or to voluntarily comply with the requirement in the notice.¹⁴
- (4) The notice must –
 - (a) contain or be accompanied by the following information –
 - (i) the requirement in paragraph (2),
 - (ii) details of the alleged breach,
 - (iii) the type of item supplied and, if necessary, a description of the item sufficient to identify it,
 - (iv) a statement that an appeal may be made against the notice under Article 9, and
 - (v) any other information that the Minister considers necessary;
 - (b) be given in writing; and
 - (c) be delivered to the trader’s registered or administrative office or, if the address of that office cannot be determined, to a person who controls or manages the place where the item was supplied.¹⁵
- (5) A person who intentionally and without reasonable excuse fails to comply with a notice under paragraph (2) commits an offence and is liable to a fine of level 2 on the standard scale.
- (6) For the purposes of this Article and paragraph 2 of the Schedule, “price” means the selling price as defined in Regulation 1 of the [Price Indicators \(Jersey\) Regulations 2008](#).

4 Trader must not import certain single-use or non-recyclable items¹⁶

- (1) A trader must not import a prohibited item.¹⁷
- (2) If the Agent of the Impôts, the Chief Inspector or an authorised officer reasonably suspects that a trader is acting in breach of paragraph (1), the Agent, Chief Inspector or authorised officer may give a notice to the trader requiring them to stop importing items of the type and description specified in the notice.¹⁸
- (3) Before giving the notice, the Agent, Chief Inspector or authorised officer must, if practicable, give the trader a reasonable opportunity to express their views or to voluntarily comply with the requirement in the notice.¹⁹
- (4) The notice must –
 - (a) contain or be accompanied by the following information –
 - (i) the requirement in paragraph (2),
 - (ii) details of the alleged breach,

- (iii) the type of item imported, and if necessary a description of the item sufficient to identify it,
 - (iv) a statement that an appeal may be made against the notice under Article 9, and
 - (v) any other information that the Minister considers necessary;
 - (b) be given in writing; and
 - (c) be delivered to the trader's registered or administrative office or, if the address of that office cannot be determined, to a person who controls or manages the place to which the item was imported.²⁰
- (5) A person who intentionally and without reasonable excuse fails to comply with a notice under paragraph (2) commits an offence and is liable to a fine of level 2 on the standard scale.
- (6) See Article 15A(a) for the power to make an Order to suspend or disapply this Article in relation to specified types of prohibited items or in specified circumstances.²¹
- (7) Also see Articles 19, 32, 33 and Part 8 (powers of arrest, search, seizure and liability to forfeiture) of the [Customs and Excise \(Jersey\) Law 1999](#).²²

4A Individual must not import single-use vapes²³

- (1) An individual must not import a single-use vape.
- (2) If the Agent of the Impôts, the Chief Inspector or an authorised officer reasonably suspects that an individual is acting in breach of paragraph (1), the Agent, Chief Inspector or authorised officer may give a notice to the individual requiring them to stop importing items specified in the notice.
- (3) Before giving the notice, the Agent, Chief Inspector or authorised officer must, if practicable, give the individual a reasonable opportunity to express their views or to voluntarily comply with the requirement in the notice.
- (4) The notice must –
- (a) contain or be accompanied by the following information –
 - (i) the requirement in paragraph (2),
 - (ii) details of the alleged breach,
 - (iii) the type of item imported, and if necessary a description of the item sufficient to identify it,
 - (iv) a statement that an appeal may be made against the notice under Article 9, and
 - (v) any other information that the Minister considers necessary;
 - (b) be given in writing; and
 - (c) be delivered to the individual's usual or last known address.
- (5) An individual who intentionally and without reasonable excuse fails to comply with a notice given under paragraph (2) commits an offence and is liable to a fine of level 2 on the standard scale.
- (6) Also see Articles 19, 32, 33 and Part 8 (powers of arrest, search, seizure and liability to forfeiture) of the [Customs and Excise \(Jersey\) Law 1999](#).

5 Powers of authorised officers

- (1) An authorised officer may, for the purpose of determining a trader's or individual's compliance with this Law –
 - (a) enter into an agreement to be supplied with an item; or
 - (b) purchase an item.²⁴
- (2) ²⁵
- (3) An authorised officer may enter any premises, other than premises used only as a private dwelling, at all reasonable hours, for the purpose of determining a trader's or individual's compliance with this Law.²⁶
- (4) If required to do so, an authorised officer exercising the power conferred by paragraph (3) must produce evidence of their authority.
- (5) The power conferred by paragraph (3) includes –
 - (a) power to inspect any item; and
 - (b) the same powers of seizure, access and copying, and retention, as are conferred on a police officer by Articles 21 to 24 (except Article 24(3)) of the [Police Procedures and Criminal Evidence \(Jersey\) Law 2003](#), and in the application of those provisions for the purposes of this Law –
 - (i) for a reference to a police officer, there is substituted a reference to an authorised officer,
 - (ii) for the references in Article 23(3) to the Force or the Honorary Police, there are substituted references to the Chief Inspector, and
 - (iii) for the reference in Article 24(5) to the police, there is substituted a reference to the Chief Inspector.
- (6) A person who intentionally obstructs an authorised officer acting in execution of powers conferred by this Article commits an offence and is liable to a fine of level 3 on the standard scale.

6 Power to disclose information

- (1) This Article applies to the Agent of the Impôts, the Chief Inspector and the Minister.
- (2) Each person to whom this Article applies may, for the purpose of facilitating the exercise of a function under this Law by any other such person, authorise disclosure to one or more of those persons of any information obtained in relation to the importation or suspected importation of prohibited items.
- (3) The information may be disclosed –
 - (a) in such manner as the person authorising the disclosure may direct; and
 - (b) whether or not the disclosure is requested by or on behalf of the person to whom the disclosure is made.

7 Defence of due diligence²⁷

- (1) In a prosecution against a person for an offence under Article 2, 2A, 3, 4 or 4A, the person may prove that they have a defence.
- (2) The defence is –
 - (a) that the person's conduct was because of –

- (i) a mistake,
 - (ii) an accident,
 - (iii) their reliance on information from an unrelated person,
 - (iv) the conduct of an unrelated person, or
 - (v) another cause beyond their control; and
 - (b) that the person took all reasonable precautions, and exercised all due diligence, to avoid their conduct, including in respect of a related person.
- (3) The person must comply with paragraph (4) before they may rely on the defence about –
- (a) reliance on information from an unrelated person; or
 - (b) the conduct of an unrelated person.
- (4) The person must –
- (a) at least 7 clear days before the start of the day of the hearing, give notice in writing to the Attorney General with all the information they have that helps identify the unrelated person; or
 - (b) have leave of the Magistrate’s Court.²⁸
- (5) In this Article, “related person” means another person who is under a person’s direction or control.

8 Forfeiture

- (1) The Minister may apply to the Royal Court (the “Court”) for an order for the forfeiture of any items on the grounds that an offence has been committed under this Law in respect of those items.²⁹
- (2) The Minister must serve a copy of the application on any person appearing to the Minister to be the owner of, or otherwise to have an interest in, the items, together with a notice advising the person of his or her rights under paragraph (3).
- (3) Any person on whom notice is served under paragraph (2) and any other person claiming to be the owner of, or otherwise to have an interest in, the items is entitled to appear at the hearing of the application and make representation as to why the items should not be forfeited.
- (4) The Court may infer for the purposes of this Article that an offence has been committed in relation to any items if it is satisfied that an offence has been committed in relation to items that are representative of those items, whether by reason of being of the same design or part of the same consignment or batch or otherwise.³⁰
- (5) If it is satisfied that an offence has been committed under this Law, the Court may order the items in question to be forfeited.³¹
- (6) If any items are forfeited under this Article, the Court must order their destruction or disposal in accordance with any directions it may give, including by releasing them to such person and upon such terms as the Court may specify.
- (7) Also see Articles 19, 32, 33 and Part 8 (powers of arrest, search, seizure and liability to forfeiture) of the [Customs and Excise \(Jersey\) Law 1999](#).³²

9 Appeals

- (1) A person on whom a notice is served under Article 2, 2A, 3, 4 or 4A, and any person having an interest in the items in respect of which the notice is served, may appeal to the Royal Court within one month of service of the notice on the grounds that service of the notice on that person, or any requirement in the notice, was unreasonable.³³
- (2) Where an appeal is made under this Article the Royal Court may direct that the notice that is the subject of the appeal ceases to have effect until the appeal is determined.
- (3) On hearing the appeal the Royal Court may –
 - (a) uphold, dismiss or vary the notice; and
 - (b) make such order as to the costs of the appeal as it thinks fit.
- (4) Rules of Court under the [Royal Court \(Jersey\) Law 1948](#) may make further provision as to the conduct of an appeal under this Article.

10 Orders to enforce this Law

- (1) The Attorney General may apply to the Royal Court for an injunction (including an interim injunction) or other order, against any person who appears to the Attorney General to be responsible for a contravention of a prohibition or restriction in this Law.
- (2) The Royal Court, on an application under this Article, may grant an injunction or other order, on such terms as it thinks fit, to secure compliance with this Law.

11 Undertakings

- (1) This Article applies where it appears to the Chief Inspector that a person has engaged, is engaging or is likely to engage in conduct which would, if proved, constitute an offence under this Law.
- (2) Where this Article applies, the Chief Inspector may accept an undertaking from the person that the person will not, as the case may require –
 - (a) continue or repeat the conduct;
 - (b) engage in such conduct in the course of the person's business or another business; or
 - (c) consent to or connive in the carrying out of such conduct by a body corporate with which the person is connected.
- (3) Having accepted an undertaking under this Article, the Chief Inspector –
 - (a) may notify the Attorney General of the terms of the undertaking and the identity of the person who gave it; and
 - (b) may accept a further undertaking from the person to publish the undertaking, or may arrange for publication in accordance with Article 12.
- (4) A person is "connected" with a body corporate for the purposes of paragraph (2) if the person is –
 - (a) a director, manager, secretary or other similar officer of the body corporate or a person purporting to act in such a capacity; or
 - (b) a person who is an associate of the body corporate or has a controlling interest in the body corporate.

12 Publication of undertakings, etc.

- (1) The Chief Inspector may arrange for the publication, in such form and manner as he or she considers appropriate, of details of –
 - (a) an undertaking given to that officer by or on behalf of any person as to compliance with this Law;
 - (b) an application made by the Attorney General for an injunction or other order for the purposes of enforcing this Law; and
 - (c) an undertaking given to, or injunction or other order made by, the Royal Court in proceedings on such an application.
- (2) The Chief Inspector may arrange for the dissemination, in such form and manner as he or she thinks fit, of information and advice concerning the operation of this Law.

13 Liability of officers etc.

- (1) Where an offence committed by an entity listed in paragraph (2) is proved to have been committed with the consent or connivance of any person specified in the case of that entity in paragraph (3), the person specified is also guilty of the offence and liable in the same manner as the entity to the penalty provided for that offence.
- (2) The entities mentioned in paragraph (1) are –
 - (a) a limited liability partnership;
 - (b) a separate limited partnership;
 - (c) an incorporated limited partnership or other body corporate.
- (3) The persons to whom liability for an offence may attach in accordance with paragraph (1) are –
 - (a) in the case of a limited liability partnership, a person who is a partner of the partnership;
 - (b) in the case of a separate limited partnership or an incorporated limited partnership –
 - (i) a general partner, or
 - (ii) a limited partner who is participating in the management of the partnership;
 - (c) in the case of a body corporate other than an incorporated limited partnership, a director, manager, secretary or other similar officer of the body corporate; or
 - (d) any person purporting to act in any capacity described in sub-paragraphs (a) to (c).
- (4) Where the affairs of a body corporate are managed by its members, paragraphs (1) to (3) apply in relation to acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

14 Guidance

- (1) The Minister may issue guidance as to the application of this Law.³⁴

- (2) The Minister must publish any guidance issued under this Article, by such means as the Minister reasonably considers will draw the guidance to the attention of those who may be affected by this Law.

15 Regulations³⁵

- (1) The States may, by Regulations, amend the Schedule, including to add or remove categories of single-use or non-recyclable items to which this Law applies.
- (2) Regulations under paragraph (1) (“amendment Regulations”) may make amendments to other enactments (other than the [Human Rights \(Jersey\) Law 2000](#)) that are a consequence of those amendment Regulations coming into force.

15A Orders³⁶

The Minister may by Order –

- (a) suspend or disapply Article 2 (trader must not supply certain single-use or non-recyclable items) or 4 (trader must not import certain single-use or non-recyclable items) in relation to –
 - (i) specified types and descriptions of prohibited items, excluding single-use vapes,
 - (ii) the supply of prohibited items, excluding single-use vapes, in specified circumstances or for specified purposes;
- (b) amend the price specified for a restricted item in the table in paragraph 2 of the Schedule.

15B ³⁷

16 Citation and commencement

This Law may be cited as the Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021 and comes into force –

- (a) if the day on which this Law is registered falls before the end of the period of 12 months beginning with the day on which this Law is adopted by the States, immediately after the end of that period; or
- (b) if the day on which this Law is registered falls after the end of the period mentioned in sub-paragraph (a), 7 days after that day.

SCHEDULE³⁸

(Articles 2 and 3)

PROHIBITED AND RESTRICTED ITEMS**1 Prohibited items**

Type	Description	Use
Lightweight plastic carrier bag	With or without handle, made of plastic with a wall thickness of 15 microns or more, but less than 50 microns	Single-use
Very lightweight plastic carrier bag	With or without handle, made of plastic with a wall thickness of less than 15 microns and not meeting the “OK compost HOME” (or equivalent) certification	Single-use
Non-recyclable plastic carrier bag	With or without handle, made of non-recyclable plastic, with a wall thickness of 50 microns or more	Reusable
Paper carrier bag	With or without handle, made of paper with a weight of 50 gsm or more, but less than 170 gsm	Single-use
Non-recyclable paper carrier bag	With or without handle, made of non-recyclable paper with a weight of 170 gsm or more	Reusable
Single-use vape	All	Single-use

2 Restricted items and their price

Type	Description	Use	Price (inclusive of GST, if applicable)
Recyclable plastic carrier bag unless – (a) it is being supplied by wholesale to another trader; or (b) it is being supplied at retail after it was earlier – (i) supplied at retail by a trader; and (ii) returned to a trader.	With or without handle, made of recyclable plastic, with a wall thickness of 50 microns or more	Reusable	£0.70
Recyclable paper carrier bag unless – (a) it is being supplied by	With or without handle, made of recyclable paper with a weight of 170 gsm	Reusable	£0.70

Type	Description	Use	Price (inclusive of GST, if applicable)
(b) wholesale to another trader; or it is being supplied at retail after it was earlier – (i) supplied at retail by a trader; and (ii) returned to a trader.	or more		

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Single-Use Plastics etc. (Restrictions) (Jersey) Law 2021	L.15/2021	21 July 2022	P.61/2021
Single-Use Plastics etc. (Restrictions) (Jersey) Amendment Law 2025	L.5/2025	1 August 2025 (R&O.36/2025)	P.77/2024
Single-Use Plastics etc. (Restrictions) (Jersey) Amendment No. 2 Law 2025	L.14/2025	1 August 2025	P.19/2025
Single-Use Plastics etc. (Restrictions) Law (Jersey) Amendment Regulations 2025	R&O.32/2025	1 August 2025	P.37/2025

◦Projets available at statesassembly.gov.je

Table of Endnote References

¹ Long title	amended by L.5/2025
² Article 1(1)	amended by L.5/2025
³ Article 2	heading substituted by L.5/2025
⁴ Article 2(1)	substituted by L.5/2025
⁵ Article 2(2)	deleted by L.5/2025
⁶ Article 2(3)	deleted by L.5/2025
⁷ Article 2(4)	substituted by L.5/2025
⁸ Article 2(5)	substituted by L.5/2025
⁹ Article 2(6)	substituted by L.5/2025
¹⁰ Article 2(8)	inserted by L.5/2025
¹¹ Article 2A	inserted by L.5/2025
¹² Article 3(1)	substituted by L.5/2025
¹³ Article 3(2)	substituted by L.5/2025
¹⁴ Article 3(3)	substituted by L.5/2025
¹⁵ Article 3(4)	substituted by L.5/2025
¹⁶ Article 4	heading substituted by L.5/2025
¹⁷ Article 4(1)	amended by L.5/2025
¹⁸ Article 4(2)	substituted by L.5/2025
¹⁹ Article 4(3)	substituted by L.5/2025
²⁰ Article 4(4)	substituted by L.5/2025
²¹ Article 4(6)	inserted by L.5/2025
²² Article 4(7)	inserted by L.5/2025
²³ Article 4A	inserted by L.5/2025
²⁴ Article 5(1)	substituted by L.5/2025
²⁵ Article 5(2)	deleted by L.5/2025
²⁶ Article 5(3)	amended by L.5/2025
²⁷ Article 7	substituted by L.5/2025

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- ²⁸ *Article 7(4)* *amended by L.14/2025*
²⁹ *Article 8(1)* *substituted by L.5/2025*
³⁰ *Article 8(4)* *amended by L.5/2025*
³¹ *Article 8(5)* *substituted by L.5/2025*
³² *Article 8(7)* *inserted by L.5/2025*
³³ *Article 9(1)* *amended by L.5/2025*
³⁴ *Article 14(1)* *amended by L.5/2025*
³⁵ *Article 15* *substituted by L.5/2025*
³⁶ *Article 15A* *inserted by L.5/2025*
³⁷ *Article 15B* *inserted by L.5/2025, deleted on 1 February 2026*
³⁸ *Schedule* *amended by L.5/2025, R&O.32/2025*