



ST. CHRISTOPHER AND NEVIS

CHAPTER 18.31

SHOPS REGULATION ACT and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

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CHAPTER 18.31
SHOPS REGULATION ACT

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CHAPTER 18.31
SHOPS REGULATION ACT

AN ACT TO REGULATE SHOPS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Shops Regulation Act.

Interpretation.

2. In this Act—

“shop” includes any premises, store, shed, tent, vehicle, pack, boat or place where any trade or business whether wholesale or retail is carried on (but shall not include any factory or depôt where ice is sold, nor any garage or place where only petrol or motor accessories are sold);

“shop assistant” means any person wholly or mainly employed in a shop in connection with the serving of customers or the receipt of orders or the despatch of goods.

Powers of Minister.

3. (1) The Minister responsible for labour may, by Order—

- (a) define and declare the shops to which this Act shall apply;
- (b) fix the hours during which such shops may be kept open throughout the State or any part thereof on the several days of the week for transacting business with the public;
- (c) authorize the keeping open of any shop after the hours fixed for closing in the case of emergency and in such other circumstances as may be specified or indicated in such order;
- (d) make any incidental, supplemental or consequential provisions which may appear necessary or proper.

(Amended by Act 6 of 1976)

- (2) Every order made under this Act may be amended, varied, or revoked by a subsequent order made in like manner.

Employment of shop assistants after closing hour prohibited.

4. No shop assistant shall be employed in or about any shop except during the time fixed by any Shop Hours Order for the time being in force under this Act.

Hours of employment.

5. The number of hours during which any shop assistant may be employed in any shop shall not exceed in the aggregate in any week forty-five hours exclusive of the time allowed for meals except as is hereinafter provided:

Provided that a shop assistant may be employed for stock-taking for a period not exceeding twelve hours in any one week in a year which period of twelve hours shall be in addition to the time during which he or she may otherwise be lawfully employed.

Seats to be provided for female shop assistants.

6. The owner or occupier of any shop to which this Act applies in which female shop assistants are employed shall at all times provide and keep therein a sufficient number of suitable seats or chairs for the use of such female shop assistants and shall permit them to use such seats or chairs when not necessarily engaged in the work or duty for which they are employed.

Power of entry and inspection.

7. Any Inspector appointed under the Labour Act, Cap. 18.18 may enter any shop to which this Act applies and make such enquiries as may be necessary to ascertain whether the provisions of this Act have been complied with.

(Amended by Act 6 of 1976)

Offence.

8. Any person who contravenes the provisions of this Act or of any Order made under this Act commits an offence against this Act.

Penalty.

9. Any person found guilty of an offence against this Act shall be liable, on summary conviction, to a penalty not exceeding four hundred fifty dollars.

Suspension of operation of sections 4 and 5.

10. The provisions of sections 4 and 5 shall, in every year, be suspended from the 15th to the 24th December both days inclusive:

Provided however that the provisions of this section shall not operate so as to allow the keeping open of a shop for the sale of goods.

FIRST SCHEDULE

(Section 3)

SHOP HOURS ORDER

Short title.

1. This Order may be cited as the Shop Hours Order.

Interpretation.

2. In this Order, the expression “week-days” shall mean the days of any week with the exception of Sundays, Christmas Day, Good Friday and any day or days declared to be a public holiday under any law in force in the State.

Shop Hours.

3. (1) No shop situate within the State to which this Order applies other than a retail grocery and provision shop shall be kept open for transacting business with the public except on the following week-days and during the hours set out hereunder, that is to say—

- (a) on Mondays, Tuesdays, Wednesdays and Fridays between the hours of 8 a.m. and 4 p.m.;
- (b) on Thursdays between the hours of 8 a.m. and 12 noon;
- (c) on Saturdays between the hours of 8 a.m. and 6 p.m.

- (2) No retail grocery and provision shop carrying a stock in trade in excess of \$7,000 and situate within the State shall be kept open for transacting business with the public except on the following week-days and during the hours set out hereunder, that is to say—

- (a) on Mondays, Tuesdays, Wednesdays and Fridays between the hours of 7.30 a.m. and 4 p.m.;
- (b) on Thursdays between the hours of 7.30 a.m. and 12 noon;
- (c) on Saturdays between the hours of 7.30 a.m. and 6 p.m.:

Provided that on the 24th December in every year, or on the day preceding that day, if the 24th December falls on a Sunday, the shops referred to in sub-paragraph (1) and (2) may be kept open up to 11 p.m.:

Provided further that any such shop may be kept open after the hour fixed for closing for such time only as may be necessary to enable any customer to be served who was in the shop before the hour fixed for closing.

- (3) Nothing in this Order shall render the owner or occupier of any shop liable to a penalty for selling before or after the prescribed hours any article required for immediate use by reason of any emergency arising from the sickness or death of any person or animal.

Application.

4. The Shops Regulation Act shall apply to all shops situate within the State except those enumerated in the Schedule to this Order to which sections 5 and 6 of the Act shall apply.

SCHEDULE TO THE ORDER*(Section 4)***PUBLIC AND PRIVATE DISPENSARIES.**

Confectioners' shops.

Hair dressing parlours and shops.

Newspaper and newsagents' shops.

Hotels.

Restaurants for the sale of food and refreshments.

Retail liquor shops.

Refreshment shops and eating houses.

Joiners' and undertakers' shops.

Bakeries.

Premises used solely for the sale of meat, bread or cakes.

Retail grocery and provision shops in which the stock in trade on the entire premises does not exceed \$10,000.

Bazaars or other entertainments or performances lawfully held for charitable, religious or public purposes or such other purposes as the Minister responsible for labour may approve.

(Amended by S.R.O. 21/1977)

SECOND SCHEDULE

(Section 3)

SHOP HOURS (TOURIST SHIPS) (NEVIS) ORDER

Short title.

1. This Order may be cited as the Shop Hours (Tourist Ships) (Nevis) Order.

Authorisation.

2. Notwithstanding any of the provisions contained in paragraph 3 of the Shop Hours Order, the Minister, by virtue of the powers in him or her vested under section 3(1)(c) of the Shops Regulation Act, hereby orders that the shops situate in the island of Nevis referred to in sub-paragraphs (1) and (2) of the aforesaid paragraph may be kept open for transacting business with the public up to 7.00 p.m. on such days as a Tourist Ship shall, at that hour, be lying at anchor in the Charlestown roadstead.

THIRD SCHEDULE

(Section 3)

SHOP HOURS (TOURIST SHIPS) (SAINT CHRISTOPHER) ORDER

Short title.

1. This Order may be cited as the Shop Hours (Tourist Ships) (Saint Christopher) Order.

Authorisation.

2. Notwithstanding any of the provisions contained in paragraph 3 of the Shop Hours Order, the Minister, by virtue of the power in him or her vested under section 3(1)(c) of the Shops Regulation Act, hereby orders that the shops referred to in sub-paragraphs (1) and (2) of the aforesaid paragraph may be kept open for transacting business with the public up to 7.00 p.m. on such days as a Tourist Ship shall, at that hour, be lying at anchor in the Basseterre roadstead.
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