

---

STATUTORY INSTRUMENTS

---

**1997 No. 2779**

**The Shops (Sunday Trading &c.) (Northern Ireland) Order 1997**

*Opening of large shops on Sunday*

**Additional permitted Sunday opening for large shops in holiday resorts**

6.—(1) Where a notice under this Article has effect in relation to a shop, Article 3(1) does not apply in relation to the shop on any Sunday specified in the notice; and any exemption conferred by this paragraph is in addition to (and not in substitution for) the exemption conferred by Article 5(1).

(2) A person who is, or proposes to become, the occupier of a large shop situated in an area designated under paragraph (9) as a holiday resort may as respects any calendar year give notice to the district council for the district in which the shop is situated specifying (subject to paragraph (3)) the Sundays in that year on which Article 3(1) is not to apply in relation to the shop.

(3) A notice under this Article shall not specify—

- (a) a Sunday occurring before 1st March or after 30th September in any calendar year;
- (b) Easter Day; or
- (c) more than 18 Sundays in any calendar year.

(4) The occupier of a shop in respect of which notice has been given under this Article may, by a subsequent notice—

- (a) specify (subject to paragraph (3)) Sundays different to those specified in the earlier notice; or
- (b) cancel the earlier notice.

(5) A notice under this Article—

- (a) shall not take effect until the end of the period of 14 days beginning with the day on which it is given, unless the district council agrees that it is to take effect at the end of a shorter period;
- (b) shall cease to have effect when superseded by a subsequent notice as mentioned in paragraph (4)(a) or cancelled as mentioned in paragraph (4)(b).

(6) Every district council shall keep a register of shops in its district in respect of which a notice under this Article has effect.

(7) In relation to every such shop, the register shall contain particulars of—

- (a) the name (if any) and address of the shop; and
- (b) the Sundays specified in the notice under this Article.

(8) Any register kept under this Article—

- (a) shall be open to inspection by members of the public at all reasonable times; and
- (b) may be kept by means of a computer.

(9) For the purposes of this Article, a district council may by resolution—

- (a) designate any area in its district as a holiday resort;

(b) revoke any designation made by it under sub-paragraph (a).

(10) Any resolution passed by a district council under paragraph (9) shall take effect from a date specified in the resolution which must be a date at least one month after the date on which the resolution is passed.

(11) Before making or revoking any designation under paragraph (9), a district council shall consult persons appearing to the council to be likely to be affected by the proposed designation or revocation (whether as the occupiers of shops or as local residents) or persons appearing to the council to represent such persons.

(12) Where a district council makes or revokes a designation under paragraph (9), it shall publish notice of the designation or revocation in such manner as it considers appropriate.