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STATUTORY INSTRUMENTS

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**1997 No. 2779 (N.I. 20)**

**The Shops (Sunday Trading &c.)  
(Northern Ireland) Order 1997 <sup>F1</sup>**

- - - - 26th November 1997

**THE SHOPS (SUNDAY TRADING &C.)  
(NORTHERN IRELAND) ORDER 1997**

Introductory Title and commencement This Order may be cited as the Shops (Sunday Trading...

*Introductory*

1. Title and commencement
2. Interpretation

*Opening of large shops on Sunday*

3. Large shops not to open on Sunday except in accordance with Articles 4, 5 and 6
4. Exemption for certain kinds of large shop
5. Permitted Sunday opening hours for large shops
6. Additional permitted Sunday opening for large shops in holiday resorts
7. Loading and unloading at large shops on Sunday morning
8. Enforcement
9. Offences

*Other provisions relating to Sunday trading*

10. Construction of certain leases and agreements
11. Rights of shop workers as respects Sunday working
12. Exclusion of Sunday Observance Act (Ireland) 1695

*Repeal of provisions of the Shops Act (Northern Ireland) 1946*

13. Repeal of provisions of the Shops Act (Northern Ireland) 1946

*Supplementary*

14. Amendments and repeals

**Changes to legislation:** There are currently no known outstanding effects for the The Shops (Sunday Trading &c.) (Northern Ireland) Order 1997. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1 — LOADING AND UNLOADING AT LARGE SHOPS ON SUNDAY MORNING

— Shops to which Schedule applies (1) (1) Subject to sub-paragraph (2), this Schedule applies to...

#### *Shops to which Schedule applies*

1. (1) Subject to sub-paragraph (2), this Schedule applies to any large shop situated in a...

#### *Consent required for early Sunday loading and unloading*

2. The occupier of a shop to which this Schedule applies shall not load or unload,...
3. (1) A consent under this Schedule may be granted subject to such conditions as the...

#### *Application for consent*

4. An application for a consent under this Schedule shall be made in writing and shall...
5. An applicant for a consent under this Schedule shall pay such reasonable fee in respect...
6. (1) Where an application is duly made to the district council for a consent under...

#### *Revocation of consent*

7. Where— (a) the occupier of a shop in respect of which a consent under this...

#### *Publication of consent*

8. Where a district council grants a consent under this Schedule, the council may cause a...

#### *Offence*

9. A person who contravenes paragraph 2 shall be guilty of an offence and liable on...

### SCHEDULE 2 — RIGHTS OF SHOP WORKERS AS RESPECTS SUNDAY WORKING

— Interpretation (1) (1) In this Schedule “shop worker” means an employee who, under his contract...

**Changes to legislation:** There are currently no known outstanding effects for the The Shops (Sunday Trading &c.) (Northern Ireland) Order 1997. (See end of Document for details)

#### *Interpretation*

1. (1) In this Schedule “shop worker” means an employee who, under his contract of employment,...

#### *Protected shop workers*

2. (1) Subject to sub-paragraph (5), a shop worker is to be regarded as “protected” for...

#### *Contractual requirements relating to Sunday work*

3. (1) Any contract of employment under which a shop worker who satisfies paragraph 2(2)(a) was...

#### *Contracts with guaranteed hours*

4. (1) This paragraph applies where— (a) under the contract of employment under which a shop...

#### *Reduction of pay, etc.*

5. (1) This paragraph applies where— (a) under the contract of employment under which a shop...

#### *Notice of objection to Sunday working*

6. (1) A shop worker to whom this paragraph applies may at any time give his...

#### *Meaning of “opted-out shop worker”*

7. (1) Subject to sub-paragraph (2), a shop worker is to be regarded as “opted-out” for...

#### *Explanatory statement*

8. (1) Where a person becomes a shop worker to whom paragraph 6 applies, his employer...

#### *Contractual requirements relating to Sunday work*

9. (1) Where a shop worker gives his employer an opting-out notice, the contract of employment...

**Changes to legislation:** There are currently no known outstanding effects for the The Shops (Sunday Trading &c.) (Northern Ireland) Order 1997. (See end of Document for details)

*Right not to suffer detriment for refusing Sunday work*

10. (1) An employee who is a protected shop worker or an opted-out shop worker has...

*Right not to be dismissed for refusing Sunday work*

11. (1) Where an employee who is a protected shop worker or an opted-out shop worker...
12. (1) An employee who is dismissed shall be regarded for the purposes of Part XI...
13. Articles 140 and 141 of the Employment Rights Order (qualifying period of employment and upper...

*Restrictions on contracting out of Schedule*

14. (1) Any provision in an agreement (whether a contract of employment or not) shall be...

*Dismissal on grounds of assertion of statutory right*

15. In Article 135 of the Employment Rights Order (dismissal on grounds of assertion of statutory...

— Schedule 3—Repeals

**Changes to legislation:**

There are currently no known outstanding effects for the The Shops (Sunday Trading &c.) (Northern Ireland) Order 1997.