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## STATUTORY INSTRUMENTS

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### 1997 No. 2779

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

### *Other provisions relating to Sunday trading*

#### **Construction of certain leases and agreements**

**10.**—(1) Where any lease or agreement (however worded) entered into before the commencement date has the effect of requiring the occupier of a shop to keep the shop open for the serving of retail customers—

- (a) during normal business hours; or
- (b) during hours to be determined otherwise than by or with the consent of the occupier,

that lease or agreement shall not be regarded as requiring, or as enabling any person to require, the occupier to open the shop on Sunday for the serving of retail customers.

(2) Paragraph (1) shall not affect any lease or agreement—

- (a) to the extent that it relates specifically to Sunday and would (apart from this Article) have the effect of requiring Sunday trading of a kind which before the commencement date would have been lawful by virtue of any provision of Part I of the Shops Act (Northern Ireland) 1946; or
- (b) to the extent that it is varied by agreement after the commencement date.

#### **Rights of shop workers as respects Sunday working**

**11** <sup>F1</sup>. Schedule 2 (rights of shop workers as respects Sunday working) shall have effect.

<b>F1</b> functions transf. by SR 1999/481
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#### **Exclusion of Sunday Observance Act (Ireland) 1695**

**12.** The Sunday Observance Act (Ireland) 1695 does not apply to any person—

- (a) by reason of his being the occupier of, or a person employed to work in or about, a shop which is open on Sunday for the serving of retail customers; or
- (b) by reason of his otherwise being, or doing anything, in or about a shop which is open on Sunday for the serving of retail customers.

**Changes to legislation:**

There are currently no known outstanding effects for the The Shops (Sunday Trading &c.) (Northern Ireland) Order 1997, Cross Heading: Other provisions relating to Sunday trading.