



Offices, Shops and Railway Premises Act 1963

1963 CHAPTER 41

Scope of Act

1 Premises to which this Act applies.

(1) The premises to which this Act applies are office premises, shop premises and railway premises, being (in each case) premises in the case of which persons are employed to work therein.

(2) In this Act—

- (a) “office premises” means a building or part of a building, being a building or part the sole or principal use of which is as an office or for office purposes;
- (b) “office purposes” includes the purposes of administration, clerical work, handling money and telephone and telegraph operating; and
- (c) “clerical work” includes writing, book-keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication;

and for the purposes of this Act premises occupied together with office premises for the purposes of the activities there carried on shall be treated as forming part of the office premises.

(3) In this Act—

- (a) “shop premises” means—
 - (i) a shop;
 - (ii) a building or part of a building, being a building or part which is not a shop but of which the sole or principal use is the carrying on there of retail trade or business;
 - (iii) a building occupied by a wholesale dealer or merchant where goods are kept for sale wholesale or a part of a building so occupied where goods are so kept, but not including a warehouse belonging to the owners, trustees or conservators of a dock, wharf or quay;

Status: Point in time view as at 22/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

- (iv) a building to which members of the public are invited to resort for the purpose of delivering there goods for repair or other treatment or of themselves there carrying out repairs to, or other treatment of, goods, or a part of a building to which members of the public are invited to resort for that purpose;
- (v) any premises (in this Act referred to as “fuel storage premises”) occupied for the purpose of a trade or business which consists of, or includes, the sale of solid fuel, being premises used for the storage of such fuel intended to be sold in the course of that trade or business, but not including dock storage premises or colliery storage premises;
- (b) “retail trade or business” includes the sale to members of the public of food or drink for immediate consumption, retail sales by auction and the business of lending books or periodicals for the purpose of gain;
- (c) “solid fuel” means coal, coke and any solid fuel derived from coal or of which coal or coke is a constituent;
- (d) “dock storage premises” means fuel storage premises which constitute or are comprised in premises to which certain provisions of the ^{M1}Factories Act 1961 apply by virtue of section 125(1) (docks, etc.) of that Act; and
- (e) “colliery storage premises” means fuel storage premises which form part of premises which, for the purposes of the ^{M2}Mines and Quarries Act 1954, form part of a mine or quarry, other than premises where persons are regularly employed to work by a person other than the owner (as defined by that Act) of the mine or quarry;

and for the purposes of this Act premises occupied together with a shop or with a building or part of a building falling within sub-paragraph (ii), (iii) or (iv) of paragraph (a) above for the purposes of the trade or business carried on in the shop or, as the case may be, the building or part of a building, shall be treated as forming part of the shop or, as the case may be, of the building or part of the building, and premises occupied together with fuel storage premises for the purposes of the activities there carried on (not being office premises) shall be treated as forming part of the fuel storage premises, but for the purposes of this Act office premises comprised in fuel storage premises shall be deemed not to form part of the last-mentioned premises.

- (4) In this Act “railway premises” means a building occupied by railway undertakers for the purposes of the railway undertaking carried on by them and situate in the immediate vicinity of the permanent way or a part (so occupied) of a building so situate, but does not include—
 - (a) office or shop premises;
 - (b) premises used for the provision of living accommodation for persons employed in the undertaking, or hotels; or
 - (c) premises wherein are carried on such processes or operations as are mentioned in section 123(1) (electrical stations) of the ^{M3}Factories Act 1961 and for such supply as is therein mentioned.
- (5) For the purposes of this Act premises maintained in conjunction with office, shop or railway premises for the purpose of the sale or supply for immediate consumption of food or drink wholly or mainly to persons employed to work in the premises in conjunction with which they are maintained shall, if they neither form part of those premises nor are required by the foregoing provisions of this section to be treated as forming part of them, be treated for the purposes of this Act as premises of the class within which fall the premises in conjunction with which they are maintained.

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Modifications etc. (not altering text)

C1 S. 1 extended by [Radiological Protection Act 1970 \(c. 46\)](#), s. 2(6)

Marginal Citations

M1 1961 c. 34.

M2 1954 c. 70.

M3 1961 c. 34.

2 Exception for premises in which only employer’s relatives or outworkers work.

- (1) This Act shall not apply to any premises to which it would, apart from this subsection, apply, if none of the persons employed to work in the premises is other than the husband, wife [^{F1}, civil partner], parent, grandparent, son, daughter, grandchild, brother or sister of the person by whom they are so employed.
- (2) A dwelling shall not, for the purposes of this Act, be taken to constitute or comprise premises to which this Act applies by reason only that a person dwelling there who is employed by a person who does not so dwell does there the work that he is employed to do in compliance with a term of his contract of service that he shall do it there.

Textual Amendments

F1 Words in s. 2(1) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), [Sch. 27 para. 23](#); S.I. 2005/3175, art. 2(2)

Modifications etc. (not altering text)

C2 S. 2 extended by [Radiological Protection Act 1970 \(c. 46\)](#), s. 2(6)

3 Exception for premises where only 21 manhours weekly normally worked.

- (1) This Act shall not apply to any premises to which it would, apart from this subsection, apply, if the period of time worked there during each week does not normally exceed twenty-one hours.
- (2) For the purposes of this section the period of time worked in any premises shall be deemed to be—
 - (a) as regards a week in which one person only is employed to work in the premises, the period of time worked by him there;
 - (b) as regards a week in which two persons or more are so employed, the sum of the periods of time for which respectively those persons work there.
- (3) ^{F2}

Textual Amendments

F2 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5)(6)(8), 81, Sch. 1 repealed by S.I. 1974/1943, reg. 4, [Sch. 1](#)

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Modifications etc. (not altering text)

C3 S. 3 extended by [Radiological Protection Act 1970 \(c. 46\), s. 2\(6\)](#)

Health, Safety and Welfare of Employees (General Provisions)

[^{F3}4 **Cleanliness.**

- (1) All premises to which this Act applies, and all furniture, furnishings and fittings in such premises shall be kept in a clean state.
- (2) No dirt or refuse shall be allowed to accumulate in any part of premises to which this Act applies in which work, or through which pass, any of the persons employed to work in the premises; and the floors of, and any steps comprised in, any such part as aforesaid shall be cleaned not less than once a week by washing or, if it is effective and suitable, by sweeping or other method.
- (3) ^{F4}

[Subsection (2) of this section shall not] be construed as being in derogation of the ^{F5}(4) general obligation imposed by subsection (1) of this section.

- (5) Nothing in this section or in regulations thereunder shall apply to fuel storage premises which are wholly in the open, and, in the case of such premises which are partly in the open, so much of them as is in the open shall, for the purposes of this section and of such regulations, be treated as not forming part of the premises.]

Textual Amendments

- F3** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).
- F4** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20-22, 23(2), 25, 26, 27(3), 42(8)-(10), 43(6)-(8), 45, 46(12)(14), 49(2), 50, 54, 56-58, 61, 62, 65, 66, 68, 70(2)-(4), 71(1), 74(2)-(4), 75(2), 80(5)(6)(8), 81, **Sch. 1** repealed by S.I. 1974/1943, reg. 4, **Sch. 1**
- F5** Words substituted by S.I. 1974/1943, **Sch. 2 para. 1**

Modifications etc. (not altering text)

C4 S. 4 extended by [Radiological Protection Act 1970 \(c. 46\), s. 2\(6\)](#)

[^{F6}5 **Overcrowding.**

- (1) No room comprised in, or constituting, premises to which this Act applies shall, while work is going on therein, be so overcrowded as to cause risk of injury to the health of persons working therein; and in determining, for the purposes of this subsection, whether any such room is so overcrowded as aforesaid, regard shall be had (amongst other things) not only to the number of persons who may be expected to be working in the room at any time but also to the space in the room occupied by furniture, furnishings, fittings, machinery, plant, equipment, appliances and other things (whether similar to any of those aforesaid or not).
- (2) The number of persons habitually employed at a time to work in such a room as aforesaid shall not be such that the quotient derived by dividing by that number the number which expresses in [^{F7}square metres] the area of the surface of the floor of

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the room is less than [^{F8}3.7] or the quotient derived by dividing by the first-mentioned number the number which expresses in [^{F9}cubic metres] the capacity of the room is less than [^{F10}11].

- (3) Subsection (2) of this section—
- (a) shall not prejudice the general obligation imposed by subsection (1) thereof;
 - (b) shall not apply to a room to which members of the public are invited to resort; and
 - (c) shall not, in the case of a room comprised in, or constituting, premises of any class (being a room which at the passing of this Act is comprised in, or constitutes, premises to which this Act applies), have effect until the expiration of the period of three years beginning with the day on which the said subsection (1) comes into force as respects premises of that class.]

Textual Amendments

- F6** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).
- F7** Words substituted by S.I. 1982/827, **reg. 2(1)(a)**
- F8** Figure substituted by S.I. 1982/827, **reg. 2(1)(b)**
- F9** Words substituted by S.I. 1982/827, **reg. 2(1)(c)**
- F10** Figure substituted by S.I. 1982/827, **reg. 2(1)(d)**

Modifications etc. (not altering text)

- C5** S. 5 extended by Radiological Protection Act 1970 (c. 46), s. 2(6)

[^{F11}6] **Temperature.**

- (1) Effective provision shall be made for securing and maintaining a reasonable temperature in every room comprised in, or constituting, premises to which this Act applies, being a room in which persons are employed to work otherwise than for short periods, but no method shall be used which results in the escape into the air of any such room of any fume of such a character and to such extent as to be likely to be injurious or offensive to persons working therein.
- (2) Where a substantial proportion of the work done in a room to which the foregoing subsection applies does not involve severe physical effort, a temperature of less than [^{F12}16 degrees Celsius] shall not be deemed, after the first hour, to be a reasonable temperature while work is going on.
- (3) The foregoing subsections shall not apply—
- (a) to a room which comprises, or is comprised in or constitutes, office premises, being a room to which members of the public are invited to resort, and in which the maintenance of a reasonable temperature is not reasonably practicable; or
 - (b) to a room which comprises, or is comprised in or constitutes, shop or railway premises, being a room in which the maintenance of a reasonable temperature is not reasonably practicable or would cause deterioration of goods;

but there shall be provided for persons who are employed to work in a room to which, but for the foregoing provisions of this subsection, subsection (1) of this section would apply, conveniently accessible and effective means of enabling them to warm themselves.

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- (4) In premises to which this Act applies there shall, on each floor on which there is a room to which subsection (1) of this section applies, be provided in a conspicuous place and in such a position as to be easily seen by the persons employed to work in the premises on that floor a thermometer of a kind suitable for enabling the temperature in any such room on that floor to be readily determined; and a thermometer provided in pursuance of this subsection shall be kept available for use by those persons for that purpose.
- (5)^{F13}
- (6) It shall be the duty of the employer of persons for whom means of enabling them to warm themselves are provided in pursuance of subsection (3) of this section to afford them reasonable opportunities for using those means, and if he fails so to do he shall be guilty of an offence.
- (7) In this section “fume” includes gas or vapour.]

Textual Amendments

- F11** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).
- F12** Words substituted by S.I. 1982/827, reg. 2(2), **Sch.**
- F13** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20-22, 23(2), 25, 26, 27(3), 42(8)-(10), 43(6)-(8), 45, 46(12)(14), 49(2), 50, 54, 56-58, 61, 62, 65, 66, 68, 70(2)-(4), 71(1), 74(2)-(4), 75(2), 80(5)(6)(8), 81, **Sch. 1** repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

Modifications etc. (not altering text)

- C6** S. 6 extended by Radiological Protection Act 1970 (c. 46), s. 2(6)

[^{F147} Ventilation.

- (1) Effective and suitable provision shall be made for securing and maintaining, by the circulation of adequate supplies of fresh or artificially purified air, the ventilation of every room comprised in, or constituting, premises to which this Act applies, being a room in which persons are employed to work.
- (2)^{F15}]

Textual Amendments

- F14** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).
- F15** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20-22, 23(2), 25, 26, 27(3), 42(8)-(10), 43(6)-(8), 45, 46(12)(14), 49(2), 50, 54, 56-58, 61, 62, 65, 66, 68, 70(2)-(4), 71(1), 74(2)-(4), 75(2), 80(5)(6)(8), 81, **Sch. 1** repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

Modifications etc. (not altering text)

- C7** S. 7 extended by Radiological Protection Act 1970 (c. 46), s. 2(6)

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[^{F16}8 Lighting.

- (1) Effective provision shall be made for securing and maintaining, in every part of premises to which this Act applies in which persons are working or passing, sufficient and suitable lighting, whether natural or artificial.
- (2) ^{F17}
- (3) All glazed windows and skylights used for the lighting of any part of premises to which this Act applies in which work, or through which pass, any of the persons employed to work in the premises shall, so far as reasonably practicable, be kept clean on both the inner and outer surfaces and free from obstruction; but this subsection shall not affect the white-washing or shading of windows or skylights for the purpose of mitigating heat or glare.
- (4) All apparatus installed at premises to which this Act applies for producing artificial lighting thereat in parts in which the securing of lighting is required by this section to be provided for shall be properly maintained.]

Textual Amendments

- F16** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.1** (with saving in reg. 27(2)).
- F17** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20-22, 23(2), 25, 26, 27(3), 42(8)-(10), 43(6)-(8), 45, 46(12)(14), 49(2), 50, 54, 56-58, 61, 62, 65, 66, 68, 70(2)-(4), 71(1), 74(2)-(4), 75(2), 80(5)(6)(8), 81, Sch. 1 repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

Modifications etc. (not altering text)

- C8** S. 8 extended by Radiological Protection Act 1970 (c. 46), s. 2(6)

[^{F18}9 Sanitary conveniences.

- (1) There shall, in the case of premises to which this Act applies, be provided, at places conveniently accessible to the persons employed to work in the premises, suitable and sufficient sanitary conveniences for their use.
- (2) Conveniences provided in pursuance of the foregoing subsection shall be kept clean and properly maintained and effective provision shall be made for lighting and ventilating them.
- ^{F19}(3)
- ^{F19}(4)
- (5) Subsection (1) of this section shall be deemed to be complied with in relation to any premises as regards any period during which there are in operation arrangements for enabling the persons employed to work in the premises to have the use of sanitary conveniences provided for the use of others, being conveniences whose provision would have constituted compliance with that subsection had they been provided in pursuance thereof for the first-mentioned persons and with respect to which the requirements of subsection (2) of this section are satisfied.
- (6) ^{F20}... [^{F21}section 45] of the ^{M4}Public Health Act 1936 ^{F22}... ^{F23}... (which [^{F24}relates] to the provision and repair of sanitary conveniences for factories, &c.) [^{F25}shall not] apply to premises to which this Act applies.]

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Textual Amendments

- F18** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by [S.I. 1992/3004, regs. 1\(2\)\(3\), 2, 3, 27\(1\)](#), [Sch. 2 Pt.I](#) (with saving in [reg. 27\(2\)](#)).
- F19** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20-22, 23(2), 25, 26, 27(3), 42(8)-(10), 43(6)-(8), 45, 46(12)(14), 49(2), 50, 54, 56-58, 61, 62, 65, 66, 68, 70(2)-(4), 71(1), 74(2)-(4), 75(2), 80(5)(6)(8), 81, Sch. 1 repealed by [S.I. 1974/1943, reg. 4](#), [Sch. 1](#)
- F20** Words in s. 9(6) repealed (S.) (1.10.2009) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [Sch. 3 Pt. 1](#) (with s. 127); [S.S.I. 2009/319](#), art. 2(a), Sch. 1
- F21** Words substituted by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 133(1), [Sch. 6 para. 11](#)
- F22** Words in s. 9(6) repealed (S.) (1.10.2009) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [Sch. 3 Pt. 1](#) (with s. 127); [S.S.I. 2009/319](#), art. 2(a), Sch. 1
- F23** Words repealed by [London Government Act 1963 \(c. 33\)](#), s. 93, [Sch. 18 Pt. II](#)
- F24** Word in s. 9(6) substituted (S.) (26.1.2009) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [Sch. 2 para. 5\(a\)](#) (with s. 127); [S.S.I. 2009/9](#), art. 2(a), Sch. 1
- F25** Words in s. 9(6) substituted (S.) (26.1.2009) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [Sch. 2 para. 5\(b\)](#) (with s. 127); [S.S.I. 2009/9](#), art. 2(a), Sch. 1

Modifications etc. (not altering text)

- C9** S. 9 extended by [Radiological Protection Act 1970 \(c. 46\)](#), s. 2(6)

Marginal Citations

- M4** [1936 c. 49](#).

[^{F26}10 Washing facilities.

- (1) There shall, in the case of premises to which this Act applies, be provided, at places conveniently accessible to the persons employed to work in the premises, suitable and sufficient washing facilities, including a supply of clean, running hot and cold or warm water and, in addition, soap and clean towels or other suitable means of cleaning or drying.
- (2) Every place where facilities are provided in pursuance of this section shall be provided with effective means of lighting it and be kept clean and in orderly condition, and all apparatus therein for the purpose of washing or drying shall be kept clean and be properly maintained.
- (3)^{F27}
- (5) Subsection (1) of this section shall be deemed to be complied with in relation to any premises as regards any period during which there are in operation arrangements for enabling the persons employed to work in the premises to have the use of washing facilities provided for the use of others, being facilities whose provision would have constituted compliance with that subsection had they been provided in pursuance thereof for the first-mentioned persons and which are provided at a place with respect to which the requirements of subsection (2) of this section are satisfied.]

Textual Amendments

- F26** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by [S.I. 1992/3004, regs. 1\(2\)\(3\), 2, 3, 27\(1\)](#), [Sch. 2 Pt.I](#) (with saving in [reg. 27\(2\)](#)).

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F27 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5)(6)(8), 81, Sch. 1 repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

Modifications etc. (not altering text)

C10 S. 10 extended by [Radiological Protection Act 1970 \(c. 46\)](#), s. 2(6)

[^{F28}**11** **Supply of drinking water.**

- (1) There shall, in the case of premises to which this Act applies, be provided and maintained, at suitable places conveniently accessible to the persons employed to work in the premises, an adequate supply of wholesome drinking water.
- (2) Where a supply of water provided at a place in pursuance of the foregoing subsection is not piped, it must be contained in suitable vessels and must be renewed at least daily; and all practicable steps must be taken to preserve it and the vessels in which it is contained from contamination.
- (3) Where water a supply of which is provided in pursuance of this section is delivered otherwise than in a jet from which persons can conveniently drink, there shall either—
 - (a) be provided, and be renewed so often as occasion requires, a supply of drinking vessels of a kind designed to be discarded after use; or
 - (b) be provided a sufficient number of drinking vessels of a kind other than as aforesaid, together with facilities for rinsing them in clean water.
- (4) Subsection (1) of this section shall be deemed to be complied with in relation to any premises as regards any period during which there are in operation arrangements for enabling the persons employed to work in the premises to avail themselves of a supply of drinking water provided and maintained for the use of others, being a supply whose provision and maintenance would have constituted compliance with that subsection had it been provided and maintained for the use of the first-mentioned persons, and—
 - (a) where the supply provided is not piped, the requirements of subsection (2) of this section are satisfied as respects it and the vessels in which it is contained; and
 - (b) where the water supplied is delivered as mentioned in subsection (3) of this section, the requirements of that subsection are satisfied.]

Textual Amendments

F28 Ss. 4–16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).

Modifications etc. (not altering text)

C11 S. 11 extended by [Radiological Protection Act 1970 \(c. 46\)](#), s. 2(6)

[^{F29}**12** **Accommodation for clothing.**

- (1) There shall, in the case of premises to which this Act applies,—
 - (a) be made, at suitable places, suitable and sufficient provision for enabling such of the clothing of the persons employed to work in the premises as is not worn by them during working hours to be hung up or otherwise accommodated; and

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- (b) be made, for drying that clothing, such arrangements as are reasonably practicable or, if a standard of arrangements for drying that clothing is prescribed, such arrangements as conform to that standard.
- (2) Where persons are employed to do such work in premises to which this Act applies as necessitates the wearing of special clothing, and they do not take that clothing home, there shall, in the case of those premises,—
- (a) be made, at suitable places, suitable and sufficient provision for enabling that clothing to be hung up or otherwise accommodated; and
- (b) be made, for drying that clothing, such arrangements as are reasonably practicable or, if a standard of arrangements for drying that clothing is prescribed, such arrangements as conform to that standard.
- (3)^{F30}]

Textual Amendments

- F29** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).
- F30** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20-22, 23(2), 25, 26, 27(3), 42(8)-(10), 43(6)-(8), 45, 46(12)(14), 49(2), 50, 54, 56-58, 61, 62, 65, 66, 68, 70(2)-(4), 71(1), 74(2)-(4), 75(2), 80(5)(6)(8), 81, Sch. 1 repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

Modifications etc. (not altering text)

- C12** S. 12 extended by Radiological Protection Act 1970 (c. 46), s. 2(6)

[^{F31}13 **Sitting facilities.**

- (1) Where persons who are employed to work in office, shop or railway premises have, in the course of their work, reasonable opportunities for sitting without detriment to it, there shall be provided for their use, at suitable places conveniently accessible to them, suitable facilities for sitting sufficient to enable them to take advantage of those opportunities.
- (2) Where persons are employed to work in a room which comprises, or is comprised in or constitutes, shop premises, being a room whereto customers are invited to resort, and have in the course of their work, reasonable opportunities for sitting without detriment to it, facilities provided for their use in pursuance of subsection (1) of this section shall be deemed not to be sufficient if the number of seats provided and the number of the persons employed are in less ratio than 1 to 3.
- (3) It shall be the duty of the employer of persons for whose use facilities are provided in pursuance of the foregoing provisions of this section to permit them to use them whenever the use thereof does not interfere with their work, and if he fails so to do he shall be guilty of an offence.]

Textual Amendments

- F31** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).

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Modifications etc. (not altering text)

C13 S. 13 extended by [Radiological Protection Act 1970 \(c. 46\)](#), s. 2(6)

[^{F32}14 **Seats for sedentary work.**

- (1) Without prejudice to the general obligation imposed by the last foregoing section, where any work done in any premises to which this Act applies is of such a kind that it (or a substantial part of it) can, or must, be done sitting, there shall be provided for each person employed to do it there a seat of a design, construction and dimensions suitable for him and it, together with a foot-rest on which he can readily and comfortably support his feet if he cannot do so without one.
- (2) A seat provided in pursuance of the foregoing subsection, and a foot-rest so provided that does not form part of a seat, must be adequately and properly supported while in use for the purpose for which it is provided.
- (3) For the purpose of subsection (1) of this section, the dimensions of an adjustable seat shall be taken to be its dimensions as for the time being adjusted.]

Textual Amendments

F32 Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by [S.I. 1992/3004](#), regs. 1(2)(3), 2, 3, 27(1), [Sch. 2 Pt.I](#) (with saving in [reg. 27\(2\)](#)).

Modifications etc. (not altering text)

C14 S. 14 extended by [Radiological Protection Act 1970 \(c. 46\)](#) s. 2(6)

[^{F33}15 **Eating facilities.**

Where persons employed to work in shop premises eat meals there, suitable and sufficient facilities for eating them shall be provided.]]

Textual Amendments

F33 Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by [S.I. 1992/3004](#), regs. 1(2)(3), 2, 3, 27(1), [Sch. 2 Pt.I](#) (with saving in [reg. 27\(2\)](#)).

Modifications etc. (not altering text)

C15 S. 15 extended by [Radiological Protection Act 1970 \(c. 46\)](#), s. 2(6)

[^{F34}16 **Floors, passages and stairs.**

- (1) All floors, stairs, steps, passages and gangways comprised in premises to which this Act applies shall be of sound construction and properly maintained and shall, so far as is reasonably practicable, be kept free from obstruction and from any substance likely to cause persons to slip.
- (2) For every staircase comprised in such premises as aforesaid, a substantial hand-rail or hand-hold shall be provided and maintained, which, if the staircase has an open side, shall be on that side; and in the case of a staircase having two open sides or of a

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staircase which, owing to the nature of its construction or the condition of the surface of the steps or other special circumstances, is specially liable to cause accidents, such a hand-rail or hand-hold shall be provided and maintained on both sides.

- (3) Any open side of a staircase to which the last foregoing subsection applies, shall also be guarded by the provision and maintenance of efficient means of preventing any person from accidentally falling through the space between the hand-rail or hand-hold and the steps of the staircase.
- (4) All openings in floors comprised in premises to which this Act applies shall be securely fenced, except in so far as the nature of the work renders such fencing impracticable.
- (5) The foregoing provisions of this section shall not apply to any such part of any fuel storage premises as is in the open, but in relation to any such part the following provisions shall have effect, namely,—
 - (a) the surface of the ground shall be kept in good repair;
 - (b) all steps and platforms shall be of sound construction and properly maintained;
 - (c) all openings in platforms shall be securely fenced, except in so far as the nature of the work renders such fencing impracticable.]

Textual Amendments

F34 Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).

Modifications etc. (not altering text)

C16 S. 16 extended by Radiological Protection Act 1970 (c. 46), s. 2(6)

^{F35}**17**

Textual Amendments

F35 S. 17 repealed (1.1.1993 partly and 1.1.1997 wholly) by S.I. 1992/2932, regs. 1(2)(3), 2, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2))

^{F36}**18**

Textual Amendments

F36 S. 18 repealed (3.3.1997) by S.I. 1997/135, reg. 3, **Sch. Pt. I**

^{F37}**19**

Textual Amendments

F37 S. 19 repealed (5.12.1998) by S.I. 1998/2306, **reg. 38**

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Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

20— **F38**
22.

Textual Amendments

F38 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, Sch. 1 repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

F39 **23**

Textual Amendments

F39 S. 23 repealed (1.1.1993) by S.I. 1992/2793, reg. 8(1), **Sch. 2 Pt.I** (except insofar as the prohibition contained in that section applies to any person specified in s. 90(4) of this Act).

24 **F40**

Textual Amendments

F40 s. 24 repealed (with saving) by S.I. 1981/917, reg. 7, **Sch. 1**

25, 26. **F41**

Textual Amendments

F41 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, Sch. 1 repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

27
(1) **F42**
(3) **F43**

Textual Amendments

F42 27(1)(2), 47, 51, 79 repealed by S.I. 1975/1011, **Sch.**

F43 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, Sch. 1 repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

28— **F44**
41.

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Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

Textual Amendments

F44 28–41, 42(11)(12)(14)–(16), 43(9)(10)(12)–(14) , 60(1), 71(2), 76(1)(2), 83(3) repealed by [S.I. 1976/2005](#), [Sch.](#)

*Special Provisions with respect to Buildings whereof Parts are Office, &c.,
Premises and with respect to certain contiguous Fuel Storage Premises*

F45 42 Provisions with respect to buildings in single ownership.

.....

Textual Amendments

F45 [Ss. 42-44](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, [Sch.](#) Table 1

F45 43 Provisions with respect to buildings plurally owned.

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Textual Amendments

F45 [Ss. 42-44](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, [Sch.](#) Table 1

F45 44 Provisions with respect to contiguous fuel storage premises in single ownership.

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Textual Amendments

F45 [Ss. 42-44](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, [Sch.](#) Table 1

Exemptions

45 **F46**

Textual Amendments

F46 [Ss. 3\(3\), 4\(3\), 6\(5\), 7\(2\), 8\(2\), 9\(3\)\(4\), 10\(3\)\(4\), 12\(3\), 20–22, 23\(2\), 25, 26, 27\(3\), 42\(8\)–\(10\), 43\(6\)–\(8\), 45, 46\(12\)\(14\), 49\(2\), 50, 54, 56–58, 61, 62, 65, 66, 68, 70\(2\)–\(4\), 71\(1\), 74\(2\)–\(4\), 75\(2\), 80\(5\) \(6\)\(8\), 81, Sch. 1](#) repealed by [S.I. 1974/1943](#), reg. 4, [Sch. 1](#)

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Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

F47 46 Power of authorities who enforce Act to grant exemptions from certain requirements thereof.

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Textual Amendments

F47 S. 46 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, [Sch. Table 1](#)

47 **F48**

Textual Amendments

F48 27(1)(2), 47, 51, 79 repealed by [S.I. 1975/1011](#), [Sch.](#)

48 **F49**

Textual Amendments

F49 S. 48 repealed by [S.I. 1980/804](#), reg. 13, [Sch. 5 Pt. 1](#)

Information

F50 49 Notification of fact of employment of persons.

.....

Textual Amendments

F50 S. 49 repealed (6.4.2009) by [The Factories Act 1961 and Offices, Shops and Railway Premises Act 1963 \(Repeals and Modifications\) Regulations 2009 \(S.I. 2009/605\)](#), regs. 1, [2\(1\)](#)

50 **F51**

Textual Amendments

F51 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, [Sch. 1](#) repealed by [S.I. 1974/1943](#), reg. 4, [Sch. 1](#)

51 **F52**

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Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

Textual Amendments

F52 27(1)(2), 47, 51, 79 repealed by [S.I. 1975/1011](#), [Sch.](#)

Enforcement

52 Authorities who are to enforce Act.

- (1) **F53**
- (5) **F54**
- (6) **F53**

Textual Amendments

F53 52(1)–(4)(6)(7), 89 repealed by [S.I. 1977/746](#), [Sch. 4](#)
F54 S. 52(5) repealed by [S.I. 1989/1903](#), [reg. 7\(1\)](#)

53 **F55**

Textual Amendments

F55 S. 53, 55, 70(1) repealed by [S.I. 1974/1943](#), [reg. 4](#), [Sch. 1](#) and [S.I. 1976/2005](#), [Sch.](#)

54 **F56**

Textual Amendments

F56 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, [Sch. 1](#) repealed by [S.I. 1974/1943](#), [reg. 4](#), [Sch. 1](#)

55 **F57**

Textual Amendments

F57 S. 53, 55, 70(1) repealed by [S.I. 1974/1943](#), [reg. 4](#), [Sch. 1](#) and [S.I. 1976/2005](#), [Sch.](#)

56 **F58**
58.

Status: Point in time view as at 22/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

Textual Amendments

F58 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, Sch. 1 repealed by [S.I. 1974/1943](#), [reg. 4](#), [Sch. 1](#)

^{F59}59 Restriction of disclosure of information.

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Textual Amendments

F59 [S. 59](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), [reg. 1](#), [Sch.](#) Table 1

^{F60}59A. Exception to restriction: public authorities

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Textual Amendments

F60 [S. 59A](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), [reg. 1](#), [Sch.](#) Table 1

- 60** (1) **F61**
(2) **F62**

Textual Amendments

F61 28–41, 42(11)(12)(14)–(16), 43(9)(10)(12)–(14), 60(1), 71(2), 76(1)(2), 83(3) repealed by [S.I. 1976/2005](#), [Sch.](#)
F62 [S. 60\(2\)](#) repealed, except in relation to reports made before 1.1.1977 by [S.I. 1976/2005](#), [Sch.](#)

61, 62. ^{F63}

Textual Amendments

F63 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, Sch. 1 repealed by [S.I. 1974/1943](#), [reg. 4](#), [Sch. 1](#)

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Offences, Penalties and legal Proceedings

F64 63 Offences.

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Textual Amendments

F64 S. 63 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, **Sch.** Table 1

64 **F65**

Textual Amendments

F65 S. 64 repealed, except in relation to offences under sections 28 to 38, 42(16) and 43(14) committed before 1.1.1977 by [S.I. 1976/2005](#), **Sch.**

65, 66. **F66**

Textual Amendments

F66 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, **Sch.** 1 repealed by [S.I. 1974/1943](#), reg. 4, **Sch.** 1

F67 67 Defence available to persons charged with offences.

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Textual Amendments

F67 S. 67 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, **Sch.** Table 1

68 **F68**

Textual Amendments

F68 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, **Sch.** 1 repealed by [S.I. 1974/1943](#), reg. 4, **Sch.** 1

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Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

F69 69 Removal or defacement of documents posted in pursuance of Act or regulations under it.

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Textual Amendments

F69 S. 69 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, [Sch. Table 1](#)

70

- (1) **F70**
- (2) **F71**

Textual Amendments

F70 Ss. 53, 55, 70(1) repealed by [S.I. 1974/1943](#), reg. 4, [Sch. 1](#) and [S.I. 1976/2005](#), [Sch.](#)
F71 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, [Sch. 1](#) repealed by [S.I. 1974/1943](#), reg. 4, [Sch. 1](#)

71

- (1) **F72**
- (2) **F73**

Textual Amendments

F72 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, [Sch. 1](#) repealed by [S.I. 1974/1943](#), reg. 4, [Sch. 1](#)
F73 28–41, 42(11)(12)(14)–(16), 43(9)(10)(12)–(14), 60(1), 71(2), 76(1)(2), 83(3) repealed by [S.I. 1976/2005](#), [Sch.](#)

F74 72 Appeal from orders made on complaint.

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Textual Amendments

F74 S. 72 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, [Sch. Table 1](#)

F75 73 Power of county court and sheriff to modify agreements and apportion expenses.

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Status: Point in time view as at 22/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

Textual Amendments

- F75** S. 73 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, **Sch.** Table 1

Amendments of other Acts

74 Amendment of sections 123(1) and 124(1) of Factories Act 1961, and provisions consequential thereon.

- (1) For the purposes of section 123(1) (application of Act to electrical stations) of the ^{M5}Factories Act 1961, office premises to which this Act applies which are comprised in premises to which that subsection applies shall, notwithstanding that they are so comprised, be deemed not to form part of the premises.

- (2) **F76**

Textual Amendments

- F76** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, **Sch. 1** repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

Marginal Citations

- M5** 1961 c. 34.

75 Amendment of section 125(1) of Factories Act 1961, and provisions consequential thereon.

- (1) For the purposes of section 125(1) (docks, etc.) of the Factories Act 1961, office premises to which this Act applies which are comprised in premises to which that subsection applies shall, notwithstanding that they are so comprised, be deemed not to form part of the premises.

- (2) **F77**

- (3) The reference in the said section 125(1) to a warehouse in or for the purposes of which mechanical power is used, being a warehouse neither forming part of a factory nor belonging to the owners, trustees or conservators of a dock, wharf or quay, shall be construed as not including a building occupied by a wholesale dealer or merchant where goods are kept for sale wholesale or a part of a building so occupied where goods are so kept.

Textual Amendments

- F77** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, **Sch. 1** repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

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Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

76 Amendment of Public Health Act 1936.

- (1) F78
- (3) F79

Textual Amendments

F78 28–41, 42(11)(12)(14)–(16), 43(9)(10)(12)–(14), 60(1), 71(2), 76(1)(2), 83(3) repealed by [S.I. 1976/2005](#), [Sch.](#)

F79 [S. 76\(3\)](#) repealed by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(2), [Sch. 16 Pt III](#)

77 F80

Textual Amendments

F80 [S. 77](#) repealed by [London Government Act 1963\(c. 33\)](#), s. 93, [Sch. 18 Pt. II](#)

^{F81}**78 Provision for securing exercise of local Act powers in conformity with this Act.**

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Textual Amendments

F81 [S. 78](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, [Sch.](#) Table 1

General Provisions

79 F82

Textual Amendments

F82 27(1)(2), 47, 51, 79 repealed by [S.I. 1975/1011](#), [Sch.](#)

^{F83}**80 Regulations and orders.**

.....

Textual Amendments

F83 [S. 80](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, [Sch.](#) Table 1

81 F84

Status: Point in time view as at 22/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

Textual Amendments

F84 Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, Sch. 1 repealed by S.I. 1974/1943, reg. 4, **Sch. 1**

^{F85}82 Expenses and receipts.

.....

Textual Amendments

F85 S. 82 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, **Sch.** Table 1

^{F86}83 Application to the Crown.

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Textual Amendments

F86 S. 83 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, **Sch.** Table 1

^{F87}84 Exclusion of application to visiting forces.

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Textual Amendments

F87 S. 84 repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\)](#), reg. 1, **Sch.** Table 1

85 Exclusion of application to factories, to certain fish sale-rooms and to parts below ground of mines.

- (1) ^{F88} nothing in this Act shall apply to any premises which, for the purposes of the ^{M6}Factories Act 1961, form part of a factory.
- (2) With the exception of section 75(3) of this Act, nothing in this Act shall apply to any premises which, not being office premises, are used for the sale of fish by wholesale and constitute, or are comprised in, premises to which certain provisions of the Factories Act 1961 apply by virtue of section 125(1) (docks, etc.) of that Act.
- (3) Nothing in this Act shall apply to any part below ground of premises which, for the purposes of the ^{M7}Mines and Quarries Act 1954, are a mine.

Status: Point in time view as at 22/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

Textual Amendments

F88 Words repealed by [S.I. 1974/1943, reg. 4, Sch. 1](#)

Marginal Citations

M6 [1961 c. 34.](#)

M7 [1954 c. 70.](#)

^{F89}86 Exclusion of application to premises occupied for transitory purposes.

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Textual Amendments

F89 [S. 86](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\), reg. 1, Sch. Table 1](#)

Provisions with respect to Northern Ireland, Isles of Scilly and Inner and Middle Temples

87 **^{F90}**

Textual Amendments

F90 [S. 87](#) repealed by [Northern Ireland Constitution Act 1973 \(c. 36\), Sch. 6 Pt. I](#)

^{F91}88 Application to Isles of Scilly.

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Textual Amendments

F91 [S. 88](#) repealed (6.4.2014) by [The Health and Safety \(Miscellaneous Repeals and Revocations\) Regulations 2014 \(S.I. 2014/486\), reg. 1, Sch. Table 1](#)

89 **^{F92}**

Textual Amendments

F92 [52\(1\)–\(4\)\(6\)\(7\), 89](#) repealed by [S.I. 1977/746, Sch. 4](#)

Status: Point in time view as at 22/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

Interpretation

90 Interpretation

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

except in section 1(4) of this Act, “building” includes structure;

“contravention” includes, in relation to a provision of this Act or of regulations thereunder, a failure to comply with the provision, and the expression “contravene” shall be construed accordingly;

“employed” means employed under a contract of service or apprenticeship (whether oral or in writing, express or implied);

^{F93}

“fish” includes molluscs and crustaceans;

“fuel storage premises” has the meaning assigned to it by section 1(3)(a) (v) of this Act;

^{F94}

^{F95}

^{F96}

“the Minister” means [^{F97}the Secretary of State];

“notice” means a notice in writing;

“office premises” has the meaning assigned to it by section 1(2) of this Act; “owner”—

(a) as respects England and Wales, means the person for the time being receiving the rackrent of the premises, building or part of a building in connection with which the word is used, whether on his own account or as agent or trustee for another person, or who would so receive the rackrent if the premises, building or part were let at a rackrent, and

(b) as respects Scotland, means the person for the time entitled to receive or who would, if the same were let, be entitled to receive, the rents of the premises, building or part of a building in connection with which the word is used and includes a trustee, factor, [^{F98}or person entitled to act as legal representative of a person under disability by reason of nonage or mental or other incapacity], and in the case of public or municipal property, applies to the persons to whom the management thereof is entrusted,

and “owned” and “ownership” shall be construed accordingly;

^{F95}

^{F99}

^{F95}

“railway premises” has the meaning assigned to it by section 1(4) of this Act;

“railway undertakers” means any persons authorised by an enactment or a provision of an order or scheme made under or confirmed by an Act to construct, work or carry on a railway;

“shop premises” has the meaning assigned to it by section 1(3) of this Act;

“week” means the period between midnight on Saturday night and midnight on the succeeding Saturday night.

Status: Point in time view as at 22/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

- (2) ^{F100}
- (3) For the purposes of this Act—
- (a) persons employed by railway undertakers to do work the general control of the doing of which is exercised at railway premises, or at office premises occupied by the undertakers for the purposes of the railway undertaking carried on by them and situate in the immediate vicinity of the permanent way, shall be deemed to be employed to work in the premises at which the general control of the doing of their work is exercised notwithstanding that their work is in fact done elsewhere;
 - (b) neither railway premises nor such office premises as aforesaid shall be taken to be premises in the case of which persons are employed to work therein by reason only of the fact that persons employed by the undertakers who occupy the premises resort to the premises for the purpose only of discharging duties whose discharge is incidental to the work that they are primarily employed to do.
- (4) For the purposes of this Act, any such person as follows shall be taken to be employed, namely,—
- (a) a person appointed under section 6 or 7 of the ^{M8}Registration Service Act 1953 who exercises and performs his powers and duties in premises provided and maintained by the council within whose area his district or sub-district is situate;
 - (b) ^{F101}
 - (c) a member of a police force maintained by [^{F102}a local policing body or] a police authority, [^{F103}or]
 - [^{F104}(d) a member of a police force seconded to the [^{F105}National Crime Agency to serve as a National Crime Agency officer].]
- (5) The definition of a class of premises, rooms or persons for the purposes of any regulations or order under this Act may be framed by reference to any circumstances whatever.
- (6) Any reference in this Act to any other enactment shall, unless the context otherwise requires, be construed as a reference to that enactment as amended or extended by or under any subsequent enactment.

Textual Amendments

- F93** Definitions repealed by S.I. 1974/1943, reg. 4, **Sch. 1** and S.I. 1976/2005, Sch.
- F94** Definition of “local authority” repealed by S.I. 1977/746, **Sch. 4**
- F95** Definitions of “magistrates' court”, “petty sessions area” and “police authority” in s. 90(1) repealed (5.11.1993) by c. 50, s. 1(1), Sch. 1 Pt. XIV Group 3.
- F96** Definition repealed by S.I. 1974/1943, reg. 4, **Sch. 1**
- F97** Words substituted by virtue of S.I. 1968/729, **art. 3(2)**
- F98** Words in s. 90(1) in definition of “owner” substituted (S.) (2.4.2001 for specified purposes and otherwise 1.4.2002) by 2000 asp 4, s. 88(2), **Sch. 5 para. 9**; S.S.I. 2001/81, arts. 2, 3, Schs. 1, 2
- F99** Words in s. 90 repealed (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), Sch. 6 para. 33, **Sch. 7** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2) (with art. 4)
- F100** S. 90(2) repealed by Electricity Act 1989 (c. 29, SIF 44:1), ss. 102, 112(3), Sch. 17 para. 35(1), **Sch. 18**

Status: Point in time view as at 22/04/2014.

Changes to legislation: There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963. (See end of Document for details)

- F101** S. 90(4)(b) repealed by [Registration of Births, Deaths and Marriages \(Scotland\) Act 1965 \(c. 49\)](#), [Sch. 2](#)
- F102** Words in s. 90(4)(c) inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 83](#); S.I. 2011/3019, art. 3, Sch. 1
- F103** Word in s. 90(4)(c) inserted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 4 para. 10\(a\)](#); S.I. 2006/378, art. 4(1), Sch. para. 10
- F104** S. 90(4)(d) substituted (1.4.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 4 para. 10\(b\)](#); S.I. 2006/378, art. 4(1), Sch. para. 10
- F105** Words in s. 90(4)(d) substituted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 17](#); S.I. 2013/1682, art. 3(v)

Marginal Citations

- M8** [1953 c. 37](#).

Short Title, Commencement, Extent and Repeal

91 Short title, commencement, extent and repeal.

- (1) This Act may be cited as the Offices, Shops and Railway Premises Act 1963.
- (2) This Act shall come into operation on such day as the Minister may by order appoint, and different days may be appointed for the coming into operation of different provisions, of a particular provision in relation to premises of different classes or of a particular provision for different purposes.
- (3) This Act shall not extend to Northern Ireland . . . ^{F106}
- (4) The enactments specified in columns 1 and 2 of Schedule 2 to this Act are hereby repealed to the extent respectively specified in relation thereto in column 3 of that Schedule.

Textual Amendments

- F106** Words repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), [Sch. 6 Pt. I](#)

Modifications etc. (not altering text)

- C17** Power of appointment conferred by s. 91(2) fully exercised except in part, as regards certain premises in a covered market place: [S.I. 1964/191](#), 1045 and 1989/2312
- C18** The text of s. 91(4), Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Status:

Point in time view as at 22/04/2014.

Changes to legislation:

There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963.