

SCHEDULES

SCHEDULE 2

SUPPLEMENTARY PROVISIONS

PART II

SHOPS OCCUPIED BY PERSONS OBSERVING THE JEWISH SABBATH

Shops occupied by persons of the Jewish religion

- 8 (1) A person of the Jewish religion who is the occupier of a large shop may give to the local authority for the area in which the shop is situated a notice signed by him stating—
- (a) that he is a person of the Jewish religion, and
 - (b) that he intends to keep the shop closed for the serving of customers on the Jewish Sabbath.
- (2) For the purposes of this paragraph, a shop occupied by a partnership or company shall be taken to be occupied by a person of the Jewish religion if, and only if, the majority of the partners or of the directors, as the case may be, are persons of that religion.
- (3) A notice under sub-paragraph (1) above shall be accompanied by a certificate signed by an authorised person that the person giving the notice is a person of the Jewish religion.
- (4) Where the occupier of the shop is a partnership or company—
- (a) any notice under sub-paragraph (1) above shall be given by the majority of the partners or directors and, if not given by all of them, shall specify the names of the other partners or directors, and
 - (b) a certificate under sub-paragraph (3) above is required in relation to each of the persons by whom such a notice is given.
- (5) Every local authority shall keep a register containing particulars of the name (if any) and address of every shop in respect of which a notice under sub-paragraph (1) above has effect.
- (6) Any register kept under this paragraph—
- (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.
- (7) If there is any change—
- (a) in the occupation of a shop in respect of which a notice under sub-paragraph (1) above has effect, or

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- (b) in any partnership or among the directors of any company by which such a shop is occupied,
the notice shall be taken to be cancelled at the end of the period of 14 days beginning with the day on which the change occurred, unless during that period, or within such further time as may be allowed by the local authority, a fresh notice is given under sub-paragraph (1) above in respect of the shop.
- (8) Where a fresh notice is given under sub-paragraph (1) above by reason of a change of the kind mentioned in sub-paragraph (7) above, the local authority may dispense with the certificate required by sub-paragraph (3) above in the case of any person in respect of whom such a certificate has been provided in connection with a former notice in respect of that shop or any other shop in the area of the local authority.
- (9) A notice given under sub-paragraph (1) above in respect of any shop shall be cancelled on application in that behalf being made to the local authority by the occupier of the shop.
- (10) A person who, in a notice or certificate given for the purposes of this paragraph, makes a statement which is false in a material respect and which he knows to be false or does not believe to be true shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (11) Where a person is convicted of an offence under sub-paragraph (10) above, the local authority may cancel any notice under sub-paragraph (1) above to which the offence relates.
- (12) In this paragraph—
“authorised person”, in relation to a notice under sub-paragraph (1) above, means—
(a) the Minister of the synagogue of which the person giving the notice is a member,
(b) the secretary of that synagogue, or
(c) any other person nominated for the purposes of this paragraph by the President of the London Committee of Deputies of the British Jews (otherwise known as the Board of Deputies of British Jews),
“large shop” and “shop” have the same meaning as in Schedule 1 to this Act, and
“secretary of a synagogue” has the same meaning as in Part IV of the Marriage Act 1949.

Members of other religious bodies observing the Jewish Sabbath

- 9 Paragraph 8 above shall apply to persons who are members of any religious body regularly observing the Jewish Sabbath as it applies to persons of the Jewish religion, and accordingly—
(a) references to persons of the Jewish religion shall be construed as including any person who is a member of such a body, and
(b) in the application of that paragraph to such persons “authorised person” means a Minister of the religious body concerned.

Transitional provisions

- 10 (1) Any shop which is registered under section 53 of the Shops Act 1950 at the commencement of this Schedule and is at that time a large shop within the meaning of Schedule 1 to this Act shall be taken to be a shop in respect of which a notice has been given under sub-paragraph (1) of paragraph 8 above by the person who was then registered as the occupier of the shop; and the provisions of that paragraph in relation to the cancellation of such a notice shall have effect accordingly.
- (2) In paragraph 8(8) above, the reference to a certificate provided in connection with a former notice includes a reference to a statutory declaration provided under subsection (2) of section 53 of the Shops Act 1950 in connection with the registration of a shop under that section before the commencement of this Schedule.