



Shops Act 1950

1950 CHAPTER 28

PART I

HOURS OF CLOSING

General closing hours

2 General closing hours

- (1) Every shop shall be closed for the serving of customers—
- (a) as respects the winter months, not later than half-past seven o'clock in the evening on the late day and six o'clock in the evening on any other day of the week; and
 - (b) where the foregoing paragraph does not apply, not later than nine o'clock in the evening on the late day and eight o'clock in the evening on any other day of the week:

Provided that a local authority may, by order, substitute other hours (whether earlier or later) for the hours fixed by paragraph (a) of this subsection so, however, that the substituted hours shall not be later than seven o'clock in the evening except on not more than two days (one of which shall be the late day) when the substituted hours may be not later than eight o'clock in the evening.

- (2) Before making any order under the foregoing subsection the local authority shall take such steps, whether by consultation with representative associations or otherwise, as appear to the authority to be most appropriate for ascertaining the views of occupiers of shops and shop assistants affected by the order, and any such order—
- (a) may be made so as to apply to the whole or any part of the area of the local authority;
 - (b) may be made so as to apply to all trades or businesses or to any specified trade or business;
 - (c) may fix different hours for different days of the week and for different trades or businesses; and

Status: This is the original version (as it was originally enacted).

- (d) may . contain such incidental and supplemental provisions as appear to the local authority to be necessary or expedient for the purposes of the order.
- (3) Nothing in this section shall prevent—
- (a) the serving of a customer where it is proved that the customer was in the shop before the closing hour, or that reasonable grounds existed for believing that the article supplied after the closing hour to a customer was required in the case of illness; or
 - (b) any transaction mentioned in the Second Schedule to this Act.
- (4) In this Act the expression " the winter months " means the period beginning with the first Sunday in November in any year and ending with the day before the first Sunday in March in the succeeding year.

3 The late day

The late day referred to in the last foregoing section shall be Saturday unless the local authority by order fix some other day as the late day, and any such order may fix the same day for all shops or may fix—

- (a) different days for different classes of shops;
- (b) different days for different parts of their area; or
- (c) different days for different periods of the year:

Provided that where the local authority have under this Act fixed any day as the weekly half-holiday for any class of shop, or for any part of their area, or for any period of the year, they shall, as respects that class, part or period, fix some other day as the late day.

4 Special provision for tobacco and smokers' requisites

As respects the trade or business of selling tobacco and smokers' requisites—

- (a) paragraph (a) of, and the proviso to, subsection (1) of section two of this Act and subsection (2) of that section shall not apply ; and
- (b) a local authority may, in their area, or in any part thereof, by order substitute for the hours fixed by paragraph (b) of the said subsection (1) later hours, not being later than ten o'clock in the evening on the late day or half past nine o'clock in the evening on any other day, if they are satisfied that such an order is desired by the occupiers of at least two-thirds in number of the shops to be affected by the order.

5 Special provision for newspapers and periodicals

As respects the trade or business of selling newspapers and periodicals, paragraph (a) of, and the proviso to, subsection (1) of section two of this Act and subsection (2) of that section shall not apply.

6 Special provision for confectionery

As respects the trade or business of selling table waters, sweets, chocolates or other sugar confectionery or ice cream, the following hours shall be substituted for those set out in subsection (1) of section two of this Act, that is to say—

- (a) as respects the winter months, nine o'clock in the evening on the late day and eight o'clock in the evening on any other day ; and

- (b) where the foregoing paragraph does not apply, ten o'clock in the evening on the late day and half past nine o'clock in the evening on any other day:

Provided that a local authority may in their area or any part thereof by order substitute for either of the hours mentioned in paragraph (b) of this subsection an earlier hour, not being earlier than eight o'clock in the evening, if they are satisfied that such an order is desired by the occupiers of a majority of the shops to be affected by the order.

7 Certain provisions as to general closing hours to be temporary

- (1) The provisions of this Act relating to general closing hours which have effect only as respects the winter months shall expire on the tenth day of December, nineteen hundred and fifty:

Provided that—

- (a) His Majesty may at any time by Order in Council revoke the said provisions either in whole or in part and any such Order in Council shall be subject to annulment in pursuance of a resolution of either House of Parliament;
 - (b) if at any time while the said provisions are in force, an Address is presented to His Majesty by each House of Parliament praying that those provisions should be continued in force for a further period not exceeding one year from the time at which they would otherwise expire, His Majesty may by Order in Council direct that those provisions shall continue in force for that further period.
- (2) The Supplies and Services (Transitional Powers) Act, 1945, shall apply as if the said provisions were a Defence Regulation to which section one of that Act applies.
 - (3) Subsection (2) of section thirty-eight of the Interpretation Act, 1889, shall apply upon the expiry of the said provisions as if they were an Act of Parliament and had then been repealed.