



Shops Act 1950

1950 CHAPTER 28

PART I

HOURS OF CLOSING

Trading outside shops and shops with several trades

12 Trading elsewhere than in shops

It shall not be lawful in any locality to carry on in any place not being a shop retail trade or business of any class at any time when it would be unlawful in that locality to keep a shop open for the purposes of retail trade or business of that class, and, if any person carries on any trade or business in contravention of this section, this Part of this Act and the provisions in Part V for the enforcement of this Act shall apply as if he were the occupier of a shop and the shop were being kept open in contravention of this Part of this Act:

Provided that—

- (a) the prohibition imposed by this section shall, as respects any day other than the weekly half-holiday, be subject, in so far as the prohibition is affected by any closing order, to such exemptions and conditions, if any, as may be contained in the order; and
- (b) nothing in this section shall be construed as preventing a barber or hairdresser from attending a customer in the customer's residence, or the holding of an auction sale of private effects in a private dwelling-house; and
- (c) nothing in this section shall apply to the sale of newspapers.

13 Shops where more than one trade or business is carried on

- (1) Where several trades or businesses are carried on in the same shop, and any of those trades or businesses is of such a nature that, if it were the only trade or business carried on in the shop, the shop would be exempt from the obligation to be closed on the weekly half-holiday, the exemption shall apply to the shop so far as the carrying on

Status: This is the original version (as it was originally enacted).

of that trade or business is concerned, subject, however, to such conditions as may be prescribed.

- (2) Where several trades or businesses are carried on in the same shop and any of those trades or businesses consists only of transactions of such a nature that, if they were the only transactions carried on in the shop, the provisions of this Act relating to general closing hours would not apply to the shop, the shop may be kept open after the general closing hours for the purposes of those transactions alone, subject, however, to such conditions as may be prescribed.
- (3) Where several trades or businesses are carried on in the same shop and any of those trades or businesses is of such a nature that if it were the only trade or business carried on in the shop a closing order would not apply to the shop, the shop may be kept open for the purposes of that trade and business alone after the closing hour fixed by the closing order, but on such terms and under such conditions as may be specified in the order.
- (4) Where several trades or businesses are carried on in the same shop, the local authority may require the occupier of the shop to specify which trade or business he considers to be his principal trade or business, and no trade or business other than that so specified shall, for the purpose of determining a majority or any proportion or number of occupiers or of shops for the purposes of this Part of this Act, be considered as carried on in the shop unless the occupier of the shop satisfies the local authority that it forms a substantial part of the business carried on in the shop.