



GUYANA

ACT No. 18 OF 1997

SHOPS (MISCELLANEOUS ENACTMENTS) (AMENDMENT) ACT 1997

I assent.

SAMUEL A. HINDS,
President.
19th September, 1997.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Repeal of sections 188, 189, 190, 192 and 193 of the Summary Jurisdiction (Offences) Act.
3. Amendment of section 2 of the Shops (Consolidation) Act.

Price — \$200.00 To be purchased from the Office of the President; Georgetown; Guyana.

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4. **Amendment of section 3 of the Shops (Consolidation) Act.**
5. Repeal and re-enactment of section 4 of the Shops (Consolidation) Act.
6. **Amendment of section 7 of the Shops (Consolidation) Act.**
7. **Amendment of section 8 of the Shops (Consolidation) Act.**
8. Repeal and re-enactment of section 9 of the Shops (Consolidation) Act.
9. **Amendment of section 11 of the Shops (Consolidation) Act.**
10. **Amendment of section 13 of the Shops (Consolidation) Act.**
11. **Amendment of section 15 of the Shops (Consolidation) Act.**
12. **Amendment of section 16 of the Shops (Consolidation) Act.**
13. **Amendment of section 17 of the Shops (Consolidation) Act.**
14. **Repeal of section 18 of the Shops (Consolidation) Act.**
15. **Amendment of section 19 of the Shops (Consolidation) Act.**
16. **Amendment of section 23 of the Shops (Consolidation) Act.**
17. **Amendment of First and Second Schedules to the Shops (Consolidation) Act.**

**AN ACT to amend the Summary Jurisdiction (Offences)
Act and the Shops (Consolidation) Act.**

A.D. 1997 Enacted by the Parliament of Guyana:-

Short title. 1. This Act may be cited as the Shops (Miscellaneous
Enactments) (Amendment) Act 1997.

Repeal of sections 188, 189,
190, 191, 192
and 193 of the
Summary Jurisdiction (Offences)
Act.
Cap. 8:02

2. Sections 188, 189, 190, 191, 192 and 193 of the
Summary Jurisdiction (Offences) Act are hereby repealed.

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3. Section 2 of the Shops (Consolidation) Act is hereby amended as follows -

Amendment of section 2 of the Shops (Consolidation) Act. Cap. 91:04

(a) by the deletion of the definition of "Christmas period";

(b) by the substitution for the definition of "urban area" of the following definition -

"urban area" means the City of Georgetown and the town of New Amsterdam referred to in sections 3 and 25, respectively, of the Municipal and District Councils Act, and every town established under section 33 of that Act.'.

Cap. 28:01

4. Section 3(1) of the Shops (Consolidation) Act is hereby amended as follows -

Amendment of section 3 of the Shops (Consolidation) Act

(a) at the end of paragraph (b) (ii) of the proviso, by the substitution for the comma of the words"; or" and the insertion immediately thereafter of the following paragraph -

"(iii) for the supplying of apparatus, fittings and material intended to be used for the

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repair or maintenance
of any plant, machinery,
apparatus or other thing,
or for supplying of
medicine or medical
equipment,

which is used in relation to the
provision of any of those services
tendered by whomsoever to the public
which are particularised in the
Schedule to the Public Utility
Undertakings and Public Health

Cap. 54:01 Services Arbitration Act,";

- (b) in the part immediately following the end of
paragraph (b) (iii) as inserted, by
the substitution for the words
"(i) or (ii)" of the words "(i),
(ii) or (iii)".

Repeal and re-
enactment of
section 4 of the
Shops (Conso-
lidation) Act.

5. Section 4 of the Shops (Consolidation) Act
is hereby repealed and the following section substituted
therefor -

"Weekly
holiday
and half
holiday.

4. (1) The occupier of a shop shall
grant to every shop assistant a
holiday of a continuous period
of twenty-four hours on one day
in every week and, in addition,
shall grant to such shop assistant
a half-holiday of a continuous

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period of twelve hours on another day in every week.

(2) Both the holiday and half-holiday may be taken together as one continuous period of thirty-six hours if the occupier of the shop and the shop assistant so agree.

(3) The holiday and half-holiday shall be determined by the occupier after consultation with the shop assistant and such determination shall take into consideration the shop assistant's day of worship:

Provided that any recognised union representing such shop assistant shall be notified of any such determination concerning the day of worship."

6. Section 7 of the Shops (Consolidation) Act is hereby amended as follows -

Amendment of section 7 of the Shops (Consolidation) Act.

(a) in subsection (1), by the substitution for the words "forty and three-quarter hours in any week" of the words "the hours of employment authorised under section 11(d);"

(b) in subsection (2), by the substitution for the words "half-holiday on the same day in each week", of the words

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• "weekly holiday and half-holiday on
the days such holidays are agreed upon
under section 4."

Amendment of
section 8 of the
Shops (Consoli-
dation) Act.

7. Section 8 of the Shops (Consolidation) Act
is hereby amended as follows -

(a) by the deletion of subsection (2);

(b) by the substitution for subsection
(3) of the following subsection -

"(3) Notwithstanding subsection
(1), an occupier of a shop shall
pay to a shop assistant wages at
the rate prescribed in subsection
(4) in respect of any time worked
during any of the periods,
mentioned in the First Schedule in
excess of seven and one-quarter
hours per day."

Repeal and re-
enactment of
section 9 of the
Shops (Consoli-
dation) Act.

8. Section 9 of the Shops (Consolidation) Act
is hereby repealed and the following section substituted
therefor -

"Meal
inter-
vals.

9. The occupier of a shop shall
on each working day other than on
the half-holiday agreed upon under
section 4, allow to each shop

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assistant who has worked for four consecutive hours since the commencement of his shift, an interval from work of at least one and one-quarter hours for lunch or dinner as the case may be and, during any extension of the daily normal hours of work of a shop assistant authorised under this Act, an additional quarter of an hour during such extended hours."

9. Section 11 of the Shops (Consolidation) Act is hereby amended as follows -

Amendment of section 11 of the Shops (Consolidation) Act.

- (a) in the marginal note, by the substitution for the words "restaurants, parlours, cookshops, barbers' and hairdressers' establishments" of the word "shops";
- (b) by the substitution for the words "The occupier of a restaurant, parlour or cookshop, barbers' and hairdressers' establishment" of the words "The occupier of a shop";
- (c) in paragraph (c), by the substitution for the words "inspector or assistant inspector of labour of the words " any officer of the Department of Labour",

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**(d) by the substitution for paragraph (d)
of the following paragraph -**

**"(d) subject to section 8, shall
not permit a shop assistant to work
in the shop for an aggregate period
exceeding seven and one-quarter
hours on any day or forty and three
quarter hours in any week."**

Amendment of
section 13 of
the Shops (Con-
solidation) Act.

**10. Section 13 (7) of the Shops (Consolidation) Act is hereby
amended by the substitution for the words "one hundred and fifty",
"two hundred and fifty" and "fifteen" of the words "seven thousand,
five hundred," "twelve thousand, five hundred" and "seven hundred
and fifty", respectively.**

Amendment of
section 15 of the
Shops (Consoli-
dation) Act.

**11. Section 15(3) of the Shops (Consolidation)
Act is hereby amended by the substitution for the words
"inspector or assistant inspector of labour" of the
words "any officer of the Department of Labour",**

Amendment of
section 16 of the
Shops (Consoli-
dation) Act.

**12. Section 16(1) of the Shops (Consolidation)
Act is hereby amended by the substitution for the words
"one hundred and fifty" of the words "ten thousand,
five hundred",**

Amendment of
section 17 of the
Shops (Consoli-
dation) Act.

**13. Section 17 of the Shops (Consolidation)
Act is hereby amended as follows -**

**(a) in paragraph (d), by the deletion
of the words "until the hours of
nine of the clock in the forenoon";**

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- (b) in paragraph (ii) of the proviso
by the substitution for the words
"section 11(d)" of the words
"sections 9 and 11(d)".

14. Section 18 of the Shops (Consolidation)
Act is hereby repealed.

Amendment of
section 18 of the
Shops (Consoli-
dation) Act.

15. Section 19 of the Shops (Consolidation)
Act is hereby amended as follows -

Amendment of
section 19 of the
Shops (Consoli-
dation) Act.

- (a) in subsection (1)(a), by the
substitution for the words
"seventy-five" and "one hundred
and fifty" of the words "five
thousand, three hundred" and "ten
thousand, five hundred",
respectively;
- (b) in subsection (1)(b), by the
substitution for the words
"fifteen" and "seventy-five" of the
words "one thousand, five
hundred" and "five thousand,
three hundred", respectively;
- (c) in subsection (3), by the
substitution for the word
"forty" of the words "two
thousand, eight hundred".

16. Section 23 of the Shops (Consolidation)
Act is hereby amended as follows-

Amendment of
section 23 of the
Shops (Consoli-
dation) Act.

- (a) in subsection (1), by the
substitution for the words
"seventy-five", "one hundred and

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fifty" wherever they occur, "four hundred" wherever they occur, and "seven hundred and fifty" of the words "five thousand, three hundred", "ten thousand, five hundred", "twenty-eight thousand", and "fifty-two thousand five hundred", respectively ;

(b) in subsection (2), by the substitution for the words "one hundred and fifty" of the words "ten thousand, five hundred".

Amendment of
First and Second
Schedules to the
Shops (Consolidation)
Act.

17. The First and Second Schedules to the Shops (Consolidation) Act are hereby deleted and the following Schedules substituted therefor -

"FIRST SCHEDULE

s. 3

DAYS AND HOURS BETWEEN WHICH CERTAIN

SHOPS MAY OPEN

1. URBAN AREAS

The days on which and, the hours between which shops (other than restaurants, parlours, cookshops, barbers' and hairdressers' establishments) in urban areas may be opened and kept open shall be as follows -

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Every day other than
 public holidays - 7.30a.m. - 8.00p.m.

2. RURAL AREAS

The days on which and the hours between which
 shops (other than restaurants, parlours, cookshops,
 barbers' and hairdressers' establishments) in rural
 areas may be opened and kept open shall be as follows -

Every day other than
 Public holidays - 7.00 a.m. - 6.00 p.m.

3. RESTAURANTS AND PARLOURS, BARBERS'
 AND HAIRDRESSERS' ESTABLISHMENTS
 IN URBAN AND RURAL AREAS

Restaurants and Parlours, Barbers'
 and Hairdressers' Establishment - Every day - 6.00 a.m.
 to midnight.

SECOND SCHEDULE s.6

EMPLOYMENT OF SHOP ASSISTANTS BEYOND THE TIME

The purposes for which and the periods of time during
 which shop assistants may be employed beyond the time
 specified in the First Schedule are as follows -

Purposes	Periods of time
1. Where serving customers who were in the shop before the closing hour Not exceeding half an hour.
2. Where despatching or delivering orders received before the closing hour Not exceeding half an hour.
3. Checking and balancing cash Not exceeding half an hour."

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Passed by the National Assembly on 7th August, 1997.

F. A. Narain,
Clerk of the National Assembly.

(BILL No. 18 of 1997).