

SHOPS.

ORDINANCE No. 28 OF 1913.

AN ORDINANCE to provide for the Early Closing of Shops and for limiting the hours of work of Shop Assistants. A.D. 1913.

[31st December, 1913.]

BE it enacted by the Governor of British Guiana, with the advice and consent of the Court of Policy thereof, as follows:—

1. This Ordinance may be cited as the Shops Ordinance, 1913. Short title.

2. In this Ordinance, the expression "shop" includes any premises in Georgetown or New Amsterdam not specially exempted hereunder, where any retail trade or business is carried on, and includes any store, shop, room, shed, stall, or yard in Georgetown or New Amsterdam liable to an annual general trade licence and not specially exempted hereunder. Interpretation.

The expression "shop assistant" means any person wholly or mainly employed in a shop in connexion with the serving of customers or the receipt of orders or the despatch of goods.

The expression "occupier" means the person registered as the holder of the annual general licence, and shall include the attorney, agent or manager of such holder.

Closing
hours in
Georgetown.

3. Save as in section six hereof provided no occupier of any shop within the limits of the city of Georgetown for which he is required by law to take out an annual general trade licence of fifty dollars or upwards shall open such shop before the hour of 6 a.m. or keep such shop open after the hour of 4 p.m., and no occupier of any shop within the limits of the city of Georgetown for which he is required by law to take out an annual general trade licence of less than fifty dollars shall open such shop before the hour of 6 a.m. or keep such shop open after the hour of 8 p.m.

Closing
hours in
New Amster-
dam.

4. Save as in section six hereof provided no occupier of any shop within the limits of the town of New Amsterdam shall open such shop before the hour of 6 a.m. or keep such shop open after the hour of 8 p.m.

Half holidays.

5.—(1) In all shops a half holiday shall be allowed in each week, which shall be Saturday: Provided that the occupier of any shop shall have the option of substituting for the half holiday on Saturday a half holiday on such alternate day as shall be fixed by the Mayor and Town Council of Georgetown for the city of Georgetown after taking by ballot the opinion of the occupiers of shops within the limits of the city of Georgetown as registered with the Chief Commissary, and by the Mayor and Town Council of New Amsterdam for the town of New Amsterdam after taking by ballot the opinion of the occupiers of shops within the limits of the town as so registered.

(2) On payment of a registration fee of one dollar an occupier shall be registered by the Inspector General of Police in one or more register books kept by him or by his authority for that purpose, as having exercised such option and such register book or a certified extract therefrom shall be conclusive evidence of the exercise of such option. Any occupiers so registered may at any time request the Inspector General in writing to cancel the registration and the same shall thereupon be cancelled and the obligation of a Saturday half holiday shall thereupon re-apply to the said shop: Provided that it shall not be lawful for the occupier of the shop to change the day oftener than once in any period of three months and that unless the option is exercised in the manner aforesaid the half-holiday shall be deemed to be Saturday.

(3) On half holidays no shop assistant shall be employed after the hour of 1 p.m. and after that hour no shop shall be kept open.

(4) Subject to the approval of the Governor-in-Council the Mayor and Town Council of Georgetown or the Mayor and Town Council of New Amsterdam, if satisfied that it is advisable, may at any time not later than one year from the said ballot take the opinion of the registered shopkeepers by a fresh ballot and may fix any day chosen by such ballot as the alternative day for the half holiday, and the same shall thereupon be the alternative day in lieu of the day originally chosen.

(5) The Governor-in-Council may make regulations for the holding of ballots as aforesaid and may alter or revoke any regulations so made.

Closing
hours on
Saturday not
being half
holiday.

6.—(1) Where the half holiday is not Saturday the occupier of any shop within the limits of the city of Georgetown for which he is required by law to take out an annual general trade licence of fifty dollars or upwards may keep open such shop on Saturday until

the hour of 6 p.m. but no longer and the occupier of any shop within the limits of the city of Georgetown for which he is required by law to take out an annual general trade licence of less than fifty dollars may keep open such shop on Saturday until the hour of 10 p.m. but no longer.

(2) Where the half holiday is not Saturday any shop within the limits of the town of New Amsterdam may keep open such shop on Saturday until the hour of 10 p.m. but no longer.

7. Save as hereinafter provided no shop assistant shall be employed in any shop after the closing hour of such shop. Hours of Shop Assistants.

8. Nothing in this Ordinance contained shall render any person liable to a penalty:— Exemptions.

(1) For employing any shop assistant beyond any of the hours mentioned in sections three, four and five on the day preceding any public general holiday;

(2) For employing any shop assistant on any day or days including half holidays from 15th to 31st December inclusive until the hour at which such shop assistant is permitted by section six to be employed.

9. Nothing in this Ordinance contained shall render any person liable to any penalty— Exemptions.

(1) For employing any shop assistant in serving after the closing hours mentioned in sections three, four, five and six any customer who was in the shop before those hours;

(2) For employing any shop assistant after the closing hours mentioned in sections three, four, five and six solely for the purpose of despatching or delivering orders received before these hours or for closing the premises;

Provided that in no case under this and the preceding subsection shall any shop assistant be employed for any period longer than half an hour after the closing hour;

(3) For employing in a shop paying an annual general licence of fifty dollars or upwards any shop assistant outside of the hours mentioned in sections three and four solely for the purpose of any periodical stock-taking usual in the class of trade carried on in such shop;

(4) For employing any shop assistant in any chemist's or druggist's shop outside of the hours mentioned in sections three, four, five and six for the purpose of dispensing prescriptions or selling drugs and medicines and medical appliances on the order of a medical practitioner or veterinary surgeon or solely for the use of any sick person or animal.

(Section 10 repealed and new section substituted by Section 2 of Ordinance No. 15 of 1919.)

11. If the occupier of any shop shall open or fail to close such shop or shall employ any shop assistant in contravention of this Ordinance such occupier shall be guilty of an offence and on summary conviction shall be liable for a first offence to a penalty not exceeding twenty-five dollars, for a second offence to a penalty not exceeding fifty dollars, and for a third and any subsequent offence to a penalty not exceeding one hundred dollars. In default of Penalties.

payment, any such penalty may be recovered in the manner provided for by the Summary Conviction Offences (Procedure) Ordinance, 1893 (1).

Where several trades are carried on in one shop.

12. Where several trades and businesses are carried on in the same shop and any of those trades or businesses are of the class comprised in section ten hereof the provisions of this Ordinance shall not apply to anything done solely for the purpose of those trades or businesses.

Repeal.
No. 23 of 1911.

13. The Shop Assistants (Hours) Ordinance, 1911, is hereby repealed.

Commence-
ment.

14. This Ordinance shall come into operation on the 1st day of January, 1914.
