

CAP. 185.

CYPRUS

SHOP ASSISTANTS

CHAPTER 185 OF THE LAWS

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1959.

CHAPTER 185
SHOP ASSISTANTS.

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A LAW TO REGULATE SHOP HOURS AND THE HOURS OF
EMPLOYMENT OF SHOP ASSISTANTS.

1949 Cap.
159.

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Short title.

Intepre-
tation.

[26th November, 1942.]

1. This Law may be cited as the Shop Assistants Law.

2. In this Law—

“ retail trade or business ” includes the business of a barber or hairdresser, the sale of refreshments or intoxicating liquors, and retail sales by auction, but does not include the sale of programmes and catalogues and other similar sales at theatres and places of amusement ;

“ shop ” means any premises (including markets) where any retail trade or business is carried on ;

“shop assistant” means any person employed in or about a shop, but does not include a shopkeeper or any person employed solely as a caretaker or as a cleaner or other domestic servant ;

“shopkeeper” means the person, company, association or partnership having charge of any shop or owning the business thereof or employing any person in or in connection therewith and includes the manager, agent or other person acting or apparently acting in the general management or control of any shop ;

“week” means the period from midnight on Saturday to midnight on the following Saturday.

3. The Governor may appoint Inspectors to assist in giving effect to the provisions of this Law.

Appoint-
ment of
Inspectors.

4. Every shop shall close not later than six o'clock in the evening in the months of October to March inclusive in every year, and not later than seven o'clock in the evening in the months of April to September inclusive in every year, and in each such case shall remain closed and shall not reopen earlier than five o'clock on the following morning :

Closing of
shops.

Provided that this section shall not apply to any shop solely kept open for one or more of the purposes set forth in the First Schedule to this Law.

First
Schedule.

5. Every shop shall be closed not later than one o'clock in the afternoon on one week-day in every week and shall remain closed and shall not reopen earlier than five o'clock on the following morning :

Closing of
shops not
later than
1 p.m. on one
week-day.

Provided that this section shall not apply to any shop solely kept open for one or more of the purposes set forth in the First Schedule to this Law.

First
Schedule.

6. Every shop shall be closed on Sundays or on such other day in every week as the Governor may appoint, in lieu of Sunday, under section 19 (d) of this Law:

Sunday
closing.

Provided that this section shall not apply to any shop solely kept open for one or more of the purposes and within the times set forth in the Second Schedule to this Law.

Second
Schedule.

7. No shopkeeper shall employ a shop assistant in any capacity whatsoever for a longer period than fifty-five hours, excluding meal times, in any one week or at other hours than those set out in the table of working hours required to

Restriction
in number of
hours a shop
assistant
may be
employed.

be kept exhibited in accordance with the provisions of section 11 (1) (b) of this Law:

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Provided that a shop assistant who has not attained the age of sixteen years shall not be employed for a longer period than forty-eight hours, excluding meal-times, in any one week.

Weekly
half-holidays
3 of 30/45.

8. On at least one week-day in each week a shop assistant shall have a half-holiday after one o'clock in the afternoon and shall not, during that half-holiday, be employed in any capacity :

Provided that in the case of a shop assistant employed in any shop set forth in the Second Schedule to this Law, or any amendment thereof, such half-holiday may be had on a Sunday.

Allowance
for meals.

9. There shall be allowed to every shop assistant, for meals during the period of daily employment, not less than one-and-a-half hours of which one hour at least, taken without interruption, shall be before two o'clock in the afternoon.

Seating
accommodation.

10. Every shopkeeper shall provide proper seating accommodation behind the counters or in such other place in the shop as may be suitable for the use of all the shop assistants when not actually engaged in selling and such seats shall be in the proportion of not less than two seats to every three shop assistants.

List of shop
assistants
and table
of working
hours to be
exhibited.

11. (1) Every shopkeeper shall keep exhibited in a conspicuous place in his shop the following :—

- (a) a list of the shop assistants employed therein ;
- (b) a table of the working hours of the shop assistants employed therein ; and
- (c) a notice showing the day appointed for the weekly half-holiday.

(2) Any shopkeeper who fails to comply with the provisions of subsection (1) of this section shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding five pounds and in the case of a continuing offence to a fine not exceeding ten pounds in respect of each day on which the offence continues after conviction.

Penalties.
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12. Any shopkeeper who contravenes or fails to comply with—

- (a) any of the provisions of sections 4, 5, 6, 7, 8, 9, 10, 16 and 17 of this Law ;

(b) any Order made under the provisions of section 19 of this Law, shall be guilty of an offence and shall be liable, on conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine :

Provided that, in the case of a shop assistant employed within fifteen minutes after the closing hour in contravention of the provisions of this Law or of any Order made under the provisions of section 19 of this Law, the shopkeeper shall not be guilty of an offence against this Law or any such Order, if he proves that the shop assistant was engaged only in serving customers whom he was already serving or who were in the shop before the closing hour or that there was reasonable ground for believing that the article supplied to the customer was required in the case of illness.

13. (1) Any Inspector appointed under the provisions of section 3 of this Law and any police officer not below the rank of sergeant may—

Right of entry of Inspectors appointed under this Law and of certain police officers.

(a) enter, inspect and examine at all reasonable hours by day and night a shop and every part thereof if he has reasonable cause to believe that any shop assistant is employed therein ;

(b) make such examination and inquiry as may be necessary to ascertain whether the provisions of this Law are being complied with.

(2) Every shopkeeper, his agents and servants shall furnish such facilities as may be required by any such Inspector or police officer for the purpose of any such inspection, inquiry or examination.

(3) If any person wilfully delays or obstructs an Inspector or police officer in the exercise of the powers given by this section, such person shall be guilty of an offence against this Law and shall be liable, on conviction, to a fine not exceeding twenty pounds or to imprisonment not exceeding two months or to both such fine and imprisonment.

14. Nothing in this Law shall prevent customers from being served, at a time when the shop in which they are sold is required to be closed, with victuals, stores or other necessaries for a ship, on her arrival at or immediately

Ships and aeroplanes may be served after closing hours in certain cases.

before her departure from a port, or for an aeroplane on its arrival at or immediately before its departure from an aerodrome or airport.

Exemptions.

15. Nothing in this Law shall apply to any bazaar for the sale of work for charitable or other purposes from which no private profit is derived, nor to the business of an undertaker.

Provisions as to trading elsewhere than in shops.

16. 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 Law shall apply as if he were a shopkeeper whose shop was being kept open in contravention of this Law :

Provided that—

- (a) 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
- (b) nothing in this section shall apply to the sale of newspapers.

Shops where more than one trade or business is carried on.
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17. (1) Where several trades or businesses are carried on in the same shop and any of these 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, such shop may be kept open during closing hours for the carrying on of such trade or business only, provided however that the following conditions are complied with, that is to say—

- (a) during such hours, the shop is divided or partitioned into separate places of business and arrangements are made, to the satisfaction of the Commissioner of Labour, that only those trades or businesses in respect of which such shop is exempt from the obligation to be closed, are carried on in that part of the said shop which it is proposed to keep open during that time in connection therewith and so that, so far as reasonably practical, no goods in connection with the trade or business not exempted

shall be exhibited either inside or outside the shop ;

- (b) the written approval of the Commissioner of Labour, to be exhibited in a conspicuous place in the interior of the shop, regarding the partitioning and other arrangements required under paragraph (a), is obtained ;
- (c) no change in the approved partitioning and other arrangements shall be made unless written approval thereof is obtained from the Commissioner of Labour ;
- (d) there shall be exhibited in conspicuous places on the exterior and the interior of the shop a notice in English, Greek and Turkish in letters of the size of not less than one inch in the form set out in the Third Schedule to this Law, specifying the trade or business in connection with which the shop is kept open.

Third
Schedule.

(2) Where the exempted trade or business is carried on in any shop under the provisions of subsection (1) in virtue of any licence or permit, such licence or permit shall, upon conviction of the shopkeeper for any contravention or for failing to comply with the provisions of such subsection, be forfeited.

18. This Law shall apply to such towns, villages or other areas as the Governor in Council may by Order appoint.

Application
of Law.

19. Notwithstanding anything in this Law contained the Governor in Council at any time, by Order published in the Gazette, may—

Governor in
Council may
make special
provision
regarding
shop
assistants
employed in
trades and
businesses
set out in
Schedules,
and may
vary such
Schedules.

- (a) make provision as to the daily or weekly hours of employment of any shop assistants or class of shop assistants employed in any trade or business set out in the Schedules to this Law, and as to their whole-day or half-day holidays, and the time to be allowed them for rest and meals ;
- (b) vary the hours at which shops are required to be closed under the provisions of section 4 of this Law and may appoint different closing hours for different shops or for shops in different parts of a town, village or other area ;
- (c) appoint the day on which any shop or class of shops shall be closed in accordance with the provisions of section 5 of this Law and vary

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the hour at which such shop or class of shops are required to be closed under the provisions of such section and may appoint different days and hours for different shops or different days and hours for different parts of a town, village or other area ;

(d) appoint a day on which any shop or class of shop shall be closed in each week in lieu of the Sunday closing provided for by section 6 of this Law ;

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(e) vary the number of hours during which a shop-keeper shall employ a shop assistant under the provisions of section 7 of this Law ;

(f) delete provisions from or add provisions to any of the Schedules to this Law and vary or amend any such Schedules or any part thereof.

Saving.
Cap. 186.

20. Nothing in this Law contained shall affect the provisions of the Summer Afternoon Recess Law.

FIRST SCHEDULE.

TRADES AND BUSINESSES EXEMPTED FROM CLOSING HOURS.

(Sections 4 and 5.)

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1. The sale by retail of intoxicating liquors.
2. The delivery of ice to hospitals and nursing institutions or, in case of sickness, to private persons.
3. The sale by retail of motor fuel and oil and of motor accessories.
4. The repair and servicing of motor vehicles.
5. The supply of fuel and lubricants to aircraft.
6. The sale of medicines and of medical and surgical appliances.
7. The sale of refreshments for consumption on the premises or by hawkers.
8. The sale, in pavilions (commonly known as "kiosks"), of sweets, chocolates, biscuits, fresh and dry fruit, newspapers and periodicals and liquid refreshments, other than intoxicating liquors as defined in the Sale of Intoxicating Liquors Law.
9. The sale of tobacco and smokers' requisites.
10. Hotels, khans and restaurants.
11. The repair and hire of bicycles.
12. The sale of any goods at any fair.

Cap. 144.

SECOND SCHEDULE.

TRADES AND BUSINESSES EXEMPTED FROM SUNDAY CLOSING.

(Section 6.)

1. The sale by retail of intoxicating liquors.
2. The delivery of ice to hospitals and nursing institutions or, in case of sickness, to private persons.
3. The sale by retail of motor fuel and oil and of motor accessories.
4. The repair and servicing of motor vehicles.
5. The supply of fuel and lubricants to aircraft.
6. The sale of medicines and of medical and surgical appliances.
7. The sale of refreshments for consumption on the premises or by hawkers.
8. The sale, in pavilions (commonly known as "kiosks"), of sweets, chocolates, biscuits, fresh and dry fruit, newspapers and periodicals and liquid refreshments, other than intoxicating liquors as defined in the Sale of Intoxicating Liquors Law. Cap. 144.
9. The sale of tobacco and smokers' requisites.
10. Hotels, khans and restaurants.
11. The sale of meat, fish, cream, milk, bread, fruit and vegetables between 5 a.m. and noon.
12. The repair and hire of bicycles.
13. The sale by auction of used or second-hand private effects in premises exclusively used for that purpose.
14. Photography.
15. The sale of any goods in any premises or locality in any town, village or place during the holding of customary fairs.
16. The sale of any goods at any fair.

THIRD SCHEDULE.

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NOTICE WHEN MORE THAN ONE TRADE OR BUSINESS IS CARRIED ON IN SHOP.

*(Section 17.)**The Shop Assistants Law, Cap. 185.*

This shop is closed for to-day except for the trade or business of