

Subsidiary Legislation made under s.16.

**Shop Assistant (Conditions of Employment)  
Regulations, 1990**

**LN.1990/163**

*Commencement*      **22.11.1990**

| Amending<br>enactments | Relevant current<br>provisions | Commencement<br>date |
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| LN. 2006/156           | rr. 5(1). 6                    | 14.12.2006           |

**1922-05**

**Shop Hours**

**1990/163**

**Shop Assistant (Conditions of Employment) Regulations,  
1990**

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**ARRANGEMENT OF REGULATIONS**

Regulation

1. Title.
2. Holidays.
3. Intervals for meals
4. Exhibition of notice.
5. Seats for shop assistants.
6. Offences.

**SCHEDULE 1.**

Intervals for Meals.

**SCHEDULE 2.**

Periods of Employment, Intervals and Holidays for Shop Assistants.

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#### **Title.**

1. These regulations may be cited as the Shop Assistant (Conditions of Employment) Regulations, 1990.

#### **Holidays.**

2.(1) Provision shall be made for securing to every shop assistant–

(a) one half holiday on a week day in every week and, if the assistant be employed upon 7 days in the week, then, in addition, a half-holiday on every alternate Sunday;

(b) a holiday on full pay of not less than 7 consecutive days in every year.

(2) For the purpose of this regulation, “half holiday” means a day upon which the employment of the assistant ceases not later than 2 o'clock in the afternoon, and upon which he is not employed for more than 6 hours including meal time.

(3) Paragraph (a) of sub-regulation (1) shall not apply to any shop assistant employed in a shop which is registered in the prescribed manner with the Director as a Jewish owned shop.

#### **Intervals for meals.**

3. Intervals for meals shall be allowed to each shop assistant in accordance with Schedule 1.

#### **Exhibition of notice.**

4.(1) In every shop in which a shop assistant is employed, a notice in the form set out in Schedule 2 shall be duly completed in respect of every such shop assistant and shall be exhibited by the employer in a conspicuous position, so that it can conveniently be read both by the shop assistant and the public.

(2) A person who pulls down, injures or defaces any notice exhibited in accordance with the provisions of this regulation is guilty of an offence.

(3) A copy of every such notice so exhibited shall be sent by the employer to the Director, as soon as such notice has been affixed and any alteration to any such notice shall be notified to the Director.

#### **Seats for shop assistants.**

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5.(1) In all rooms of a shop where shop assistants are employed in the serving of customers, the occupier of the shop shall provide seats behind the counter or in such other position as may be suitable for the purpose and such seats shall be in a proportion of not less than 1 seat to every 3 shop assistants employed in each room.

(2) A person who fails to comply with the provisions of this Regulation is guilty of an offence.

### **Offences.**

6. A person convicted of an offence against these Regulations shall be liable to a fine not exceeding level 4 on the standard scale.

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### **SCHEDULE 1.**

Regulation 3.

#### **Intervals for Meals.**

Intervals for meals shall be arranged so as to secure that no shop assistant shall be employed for more than 5 consecutive hours without an interval of at least 1 hour being allowed during the course thereof, and that where the duration of the daily employment exceeds 6 hours, one interval of at least one and a half hours, or alternatively an additional interval of half an hour shall be arranged.

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### SCHEDULE 2.

Regulation 4.  
SHOP ASSISTANT (CONDITIONS OF EMPLOYMENT) REGULATIONS, 1990.

### PERIODS OF EMPLOYMENT, INTERVALS AND HOLIDAYS FOR SHOP ASSISTANTS.

I Hereby give notice that the period of employment and the intervals for meals and rest are as shown in the table below:

Name of Occupier:-  
Address of Shop:-  
Signature of Occupier:-  
Date:-

| 1<br>Shop<br>Assistant's<br>Name<br>(Block<br>Letters) | 2<br>Date of<br>birth if<br>under 18<br>years of<br>age | 3<br>Employ-<br>ment<br>Card<br>number | 4<br>Monday | 5<br>Tuesday | 6<br>Wednes-<br>day | 7<br>Thursday | 8<br>Friday | 9<br>Saturday | 10<br>Sunday | 11<br>Other regular<br>meal or rest<br>intervals, &<br>statutory half<br>holidays not<br>allowed for<br>in Columns 4<br>to 10 | 12<br>Total<br>number of<br>hours<br>worked per<br>week |
|--------------------------------------------------------|---------------------------------------------------------|----------------------------------------|-------------|--------------|---------------------|---------------|-------------|---------------|--------------|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                                                        |                                                         |                                        | From/To     | From/To      | From/To             | From/To       | From/To     | From/To       | From/To      |                                                                                                                               |                                                         |
|                                                        |                                                         |                                        |             |              |                     |               |             |               |              |                                                                                                                               |                                                         |
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#### **INSTRUCTIONS FOR COMPLETING THE FORM.**

##### **Column 2.**

In the case of persons over 18 years of age it will be sufficient to write “over 18”, otherwise the date of birth should be stated.

##### **Columns 4-10.**

In these columns should be recorded the times during which the services of the assistant are available to the employer for the conduct of business, which may not necessarily be those during which the shop is open for the carrying on of business with the public. In the upper portion of the division headed “From” should be stated the time on each day of the week at which work is commenced by the person named in Column 1, and in the division headed “To”, the time at which the employment is terminated for the midday meal interval, in the lower half in the first sub-division should be stated the time the assistant resumes employment after the midday meal interval and in the second sub-division the time on which employment for the day is ended.

The statutory weekly half holiday provided for by Regulation 2(1) of the Regulation should be indicated in the table by the insertion of the letter “H” in both the lower divisions in the column appropriate to the day on which the assistant named in the first column is not required to attend for employment.

If it is customary for the shop to close on certain fixed days, or on a part of a day, during which time assistants are not required to attend for business, there should be entered “shop closed” in the column appropriate to the day on which the shop is closed. In the case of a shop which normally remains closed throughout the day, but opens for a few hours in the evening, there should be recorded in the upper half of the appropriate division the entry “shop closed” and in the lower half there should be recorded the times during which the assistants are required to be in attendance.

##### **Column 11.**

In this column should be recorded details of any meal intervals in addition to the midday interval to which the person named may be entitled under the provision-, of Regulation 3 and Schedule I to the Regulations. It should also be used to show the additional fortnightly half-holiday in appropriate cases.

##### **Column 12.**

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In this column should be shown the total number of hours worked weekly by each assistant named in the first column as computed from the details entered in columns 4-10 which, in the case of persons over 18 years of age, should not aggregate more than 48 hours exclusive of meal intervals. In the cases of persons under the age of 18, the hours should not aggregate more than 47½ hours inclusive of the prescribed meal intervals.