STATUTORY INSTRUMENTS

1979 No. 1294

SHOPS AND OFFICES

The Shops Regulations 1979

Made - - - -	*10th October* 1979
Coming into Operation	*1st December* 1979

In exercise of the powers conferred upon me by section 69 of the Shops Act 1950**(a)**, I hereby make the following Regulations:—

1. These Regulations may be cited as the Shops Regulations 1979 and shall come into operation on 1st December 1979.

2. Regulation 3 of the Shops Regulations 1937**(b)** (hereinafter referred to as "the Regulations") shall be renumbered as Regulation 3(1) and after it there shall be inserted the following paragraphs:—

"(2) A statutory declaration in the form marked IV(*a*) in the Schedule to these Regulations shall be accompanied by a statutory declaration in the form marked IV(*c*) by each of the partners or directors who have subscribed to the declaration in the form marked IV(*a*).

(3) A statutory declaration in the form marked IV(*b*) shall be accompanied by a statutory declaration in the form marked IV(*d*) in the Schedule to these Regulations.".

3. After Regulation 3 of the Regulations there shall be inserted the following Regulation:—

"3A.—(1) In the case of an application by an occupier being a person of the Jewish religion, the application shall be accompanied by a certificate in the form marked VA in the Schedule to these Regulations signed on behalf of a panel appointed by the London Committee of Deputies of the British Jews (the Board of Deputies of British Jews).

(2) Any person who as a member of the panel considered the case of a shop in respect of which the aforesaid application was made shall not sit as a member of any tribunal which subsequently by virtue of section 53(7) of the Shops Act 1950 considers the case of that shop.".

4. There shall be inserted after the form marked IV(*b*) in the Schedule to the Regulations the forms contained in the Schedule to these Regulations.

(a) 1950 c. 28.
(b) S.R. & O. 1937/271, to which there are amendments not relevant to these Regulations.

5. In Regulation 2 of the Shops (Procedure for Jewish Tribunals) Regulations 1937**(a)** for the words "registered letter" there shall be substituted the words "letter sent by the recorded delivery service".

W. S. I. Whitelaw,
One of Her Majesty's Principal
Secretaries of State.

Home Office.

10th October 1979.

(a) S.R. & O. 1937/1038.

Regulation 4 SCHEDULE

IV(*c*) *Form of Statutory Declaration by Partner or Director under Regulation* 3(2) *of the Shops Regulations* 1937

I ..... of .....

being a partner in the firm of.....
director of

[have never] [have never since the day of 19] been employed or engaged on the Jewish Sabbath in any trade or business or been concerned in any executive capacity in the control or management of any partnership or company which employs any person on the Jewish Sabbath in any trade or business. Delete as appropriate.

Dated this day of 19 .

(*Signed*)

Declared before me at , the day of 19

(*Signed*)

IV(*d*) *Form of Statutory Declaration by Individual Applicant under Regulation* 3(3) *of the Shops Regulations* 1937

I ..... of .....

[have never] [have never since the day of 19] been employed or engaged on the Jewish Sabbath in any trade or business or been concerned in an executive capacity in the control or management of any partnership or company which employs any person on the Jewish Sabbath in any trade or business. Delete as appropriate.

Dated this day of 19 .

(*Signed*)

Declared before me at , this day of 19 .

(*Signed*)

VA *Certificate of Panel appointed under Regulation* 3*A*

The Panel appointed under Regulation 3A of the Shops Regulations 1937 hereby certifies that it has considered the application for registration under section 53(1) of the Shops Act 1950 by * *Insert name of applicant.
a copy of which is attached and is satisfied that [the applicant] [the directors] [the Partners] [who subscribed to the statutory declarations supporting the application] conscientiously object[s] on religious grounds to carrying on trade or business on the Jewish Sabbath. Delete as appropriate

Dated this day of 19

Signed on behalf of the Panel

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

By virtue of section 53(1) and (3) of the Shops Act 1950 an occupier of a shop who is a person of the Jewish religion or which is a company or partnership the majority of whose directors or partners are persons of the Jewish religion is entitled to be registered by a local authority under certain conditions and thereby to be permitted, so long as the shop is closed on Saturdays, to serve customers on Sundays at times at which the shop would otherwise be required to be closed. In order to obtain registration the occupier is required to submit the statutory declaration prescribed in the Schedule to the Shops Regulations 1937 (continued in force by section 76(2) of the Shops Act 1950) that he or the majority of the directors or partners, as the case may be, conscientiously objects on religious grounds to carrying on trade or business on the Jewish Sabbath. The present Regulations amend the 1937 Regulations—

(i) so as to require that any person making that statutory declaration shall also make a statutory declaration that he has not been employed or engaged on the Jewish Sabbath in any trade or business; and

(ii) to require that an application shall be supported by a certificate by a panel appointed by the Board of Deputies of British Jews that the panel has considered the application and is satisfied that the persons concerned have conscientious objections to carrying on trade or business on the Jewish Sabbath.

Regulation 5 amends Regulation 2 of the Shops (Procedure for Jewish Tribunals) Regulations 1937 (which concerns notification of the time and place of the holding of an inquiry under those Regulations) by substituting the requirement that such notification be sent by the recorded delivery service for the requirement that it be sent by registered letter.

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