L.N. 71 of 1993

## SHOPS AND HAWKERS (BUSINESS HOURS) ACT (CAP. 155)

### Shops Business Hours (Tourist Locality) Regulations, 1993

IN exercise of the powers conferred by section 10 of the Shops and Hawkers (Business Hours) Act, the Minister of Education and Human Resources has made the following regulations:—

Citation.

**1.** These regulations may be cited as the Shops Business Hours (Tourist Locality) Regulations, 1993.

Interpretation.

**2.** In these regulations, unless the context otherwise requires —

"Act" means the Shops and Hawkers (Business Hours) Act; and

"shop" means any premises where goods are sold or services offered to the public in any of the following activities:—

(a) the sale of *bona fide* souvenirs;

(b) the sale of books, articles of stationery, postal stamps, photographic goods, and video, radio and television electronic recording equipment;

(c) the sale of tobacco, matches, drinks, sweets, items of confectionery, ice-creams and take-away foods;

(d) lending libraries including video rentals;

(e) shops connected with the hire of cars, boats or vessels and the offering of pleasure cruises or holiday excursions;

(f) restaurants and bars;

(g) shops connected with services given by barbers and hairdressers:

Provided that where in such shops more than one class of items or services is offered to the public, the class of items or services constituting the main activity shall be deemed to be the activity of the shop for the purposes of these regulations.

Businesses which are not included.

**3.** The provisions of these regulations shall not apply to vehicles of hawkers, mobile structures and dispensaries.

Tourist localities.

**4.** The localities indicated in the Schedule to these regulations are to be considered as tourist localities in terms of sub-section (3) of section 10 of the Act.

**5.** The provisions of sections 6, 7 and 9 of the Act shall not apply to any shop situated in a tourist area during the period 1st June to 30th October, 1993 (both days inclusive) provided that:— Exclusions.

(a) the shops situated in a tourist locality shall close not later than 12 noon on any Sunday or public holiday and not later than 10.00 p.m. on any other day of the week;

(b) no full-time employee shall be employed on Sundays or public holidays or after 7.00 p.m. on any other week day, or during any half-day off, or after the ordinary hours of the shop as laid down in the recognised conditions of employment applicable to such employee without the consent of the employee himself:

Provided that when any full-time employee gives his consent he may be employed outside the times prescribed in this paragraph, and he shall be remunerated at the overtime rates applicable according to the recognised condition of employment.

SCHEDULE

(Regulation 4)

**Tourist Localities**

**Malta**

Vittoriosa
Birżebbuġia
Buġibba
Senglea
Marsaxlokk
Mellieħa
Paceville
Qawra
St. Julians
St. Paul's Bay
Sliema
St. Andrews
Marsascala
Xemxija

**Gozo**

Marsalforn
Xlendi.

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