

Amendment Ordinance 1931

THE SHOPPING HOURS ORDINANCE 1931

Western Samoa

No. 6, 1931.



AN ORDINANCE

made by the Administrator of the Territory of Western Samoa with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Act, 1921.

Short Title.

1. This Ordinance may be cited as "The Shopping Hours Ordinance, 1931," and shall come into operation on the first day of January, 1932.

Interpretation.

2. In this Ordinance where not inconsistent with the context "Occupier" includes the owner and any agent, manager, foreman, or servant acting or apparently acting in the general management or control of a shop.

"Public Holiday" means

- (a) Christmas and Boxing Days, New Year's Day, Good Friday, Easter Monday, Anzac Day, the Birthday of His Majesty, Whit Monday, or the Monday following any of the said days which may fall on a Sunday.
- (b) Any day declared a Public Holiday by the Administrator.

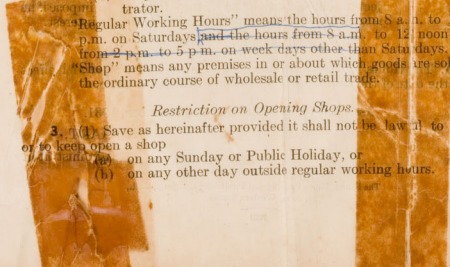
"Regular Working Hours" means the hours from 8 a.m. to 12.30 p.m. on Saturdays and the hours from 8 a.m. to 12 noon and from 2 p.m. to 5 p.m. on week days other than Saturdays.

"Shop" means any premises in or about which goods are sold in the ordinary course of wholesale or retail trade.

Restriction on Opening Shops.

- 3. (1) Save as hereinafter provided it shall not be lawful to open or to keep open a shop
 - (a) on any Sunday or Public Holiday, or
 - (b) on any other day outside regular working hours.

I and the hours from eight o'clock in the morning to twelve noon are from half past one in the afternoon to half past four in the afternoon on week days other than Saturdays. The words in square brackets were substituted by S. J. of the Ordinance.



- (2) A shop shall be deemed to be open if
 - (a) it is not effectually closed against the admission of the public;
 - (b) any person other than the occupier or his employees is found therein, unless the occupier can prove to the satisfaction of the Court that such person was not in the shop for the purpose of purchasing or taking delivery of goods purchased therein; *or*
- (3) Every occupier who acts in breach of this section commits an offence and is liable to a fine of twenty pounds.

Exemptions.

- 4. (1) The provisions of this Ordinance shall not apply to any shop outside a radius of one mile from the intersection of Ifi Ifi Road with Beach Road or such other radius not exceeding five miles from the said intersection as the Administrator may fix by proclamation published in the Western Samoa Gazette, or
 - (b) wherein is carried on only the business of
 - (i) a pharmaceutical chemist, or
 - (ii) a vendor of motor accessories, oils, or fuel, or
 - (iii) a restaurant keeper; *or*
 - (c) wherein business is carried on only in pursuance of and in accordance with a market license issued under "The Native Market Ordinance, 1927."
- (2) The provisions of this Ordinance (except as to Sunday closing) shall not apply to any shop
 - (a) Wherein is sold only
 - (i) food of a perishable nature, or
 - (ii) tobacco, cigars or cigarettes; or
 - (b) wherein only the business of a photographer is carried on.
- (3) The Administrator may by warrant under his hand permit
 - (a) any shop owned and conducted by a Chinese to be open between the hours of 7 a.m. and 2 p.m. on Sundays for the purpose only of the sale of foodstuffs to persons of the Chinese race.
 - (b) any shop to be open outside regular working hours or on any Sunday or Public Holiday during such hours and subject to such conditions as he may think fit to impose if he is satisfied that such opening is in the public interest.

Repeal.

5. The Hours for Shops Ordinance 1921 is hereby repealed with effect from the date of the coming into operation of this Ordinance.

Assented to this 22nd day of December, 1931.

H. HART,
Administrator.

(L.S.)

By Authority:

The Samoa Times Printing and Publishing Company, Ltd.,
Apia, Western Samoa.

1927
La copie preparee en vertu de la Section 54(b) de la Loi Relative aux Ordonnances, 1927
Paragraph (b) (iii) was amended by S.O. 1928
of the Shopping Hours Ordinance 1931

advertisements (or conducts an advertisement) or premises adjacent to one shop for each class of business and the building or premises of each class of business.

of the principal Ordinance for public entertainment as defined in the General Laws Ordinance, 1919, in which such place is licensed (if duly licensed under

Wednesday, December 30.

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SHOPPING HOURS AMENDMENT
1936.

Samoa

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AN ORDINANCE

of the Administrator of the Territory of Western Samoa, passed by the Legislative Council of Western Samoa Act, 1921.

may be cited as "The Shopping Hours Ordinance, 1936."

"The Ordinances Amendment (Shopping Hours Ordinance, 1931.)"

(L.S.)