



SWAZILAND GOVERNMENT GAZETTE

VOL. XLIX]

MBABANE, Friday NOVEMBER 4th 2011

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PUBLISHED BY AUTHORITY

**SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE**

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THE SHOP TRADING HOURS ACT, 2011

(Act No. 8 of 2011)



I ASSENT

MSWATI III
King of Swaziland26th October, 2011AN ACT
ENTITLED

AN ACT to free up retail trading on all days of the week including holidays except on a restricted day and to dispose with the requirement to make application when retailers intend to open for longer hours and on holiday.

ENACTED by the King and the Parliament of Swaziland.

Short Title and Commencement

1. This Act may be cited as the Shop Trading Hours Act, 2011 and shall come into force on the date of publication in the Gazette.

Interpretation

2. In this Act, unless the context otherwise provides -

“Minister” means the Minister responsible for commerce;

“occupier of a shop” includes -

- (a) a person entitled to occupy a shop;
- (b) a person managing or controlling a business carried on in the shop; and
- (c) a person who is the employer of a person or persons working in a business carried on in the shop;

“restricted trading day” means a day that the Minister may declare as such by notice in the Gazette; and

“shop” means premises -

- (a) that are used wholly or predominantly for the retail sale of goods; and

(b) in or at which goods are sold or exposed or offered for sale by retail.

Trading hours during which shops may open

3. Shops may open at all hours and days except on a restricted trading day.

Prohibition of Trading

4. (1) Trading shall be prohibited on a restricted day except where the Minister grants certain exemptions to trade.

(2) A person who opens a shop on a restricted trading day commits an offence and is liable, on conviction, to a fine not exceeding five thousand Emalangeni or to imprisonment for a period not exceeding three months or to both.

Advertising of Trading on restricted day

5. (1) A person shall not publish or cause to be published by any means an express or implied statement that at any time at which a shop is required to be kept closed under this Act, the shop will be open for business.

(2) A person who advertises trading on a restricted day shall be liable, on conviction, to a fine not exceeding three thousand Emalangeni or to imprisonment for a period not exceeding two months or to both.

Regulations

6. The Minister may by notice published in the Gazette make regulations for giving effect to the purposes and provisions of this Act.

Repeal of Shop Hours Act, 1955

7. The Shop Hours Act No. 75 of 1955 is hereby repealed.