

1931

CHAPTER 81

An Act to provide for a Weekly Half-holiday for Shop Employees in Certain Cities.

[Assented to March 11, 1931.]

HIS Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

- Short title **1.** This Act may be cited as *The Weekly Half-holiday Act, 1931*.
- Interpretation **2.** In this Act, unless the context otherwise requires, the expression:
- “Shop” 1. “Shop” includes any premises where a retail trade or business is carried on;
- “Week” 2. “Week” means the period between midnight on Saturday night and midnight on the following Saturday night.
- Weekly half-holiday **3.**—(1) Every shop in a city with a population of 7,000 or over shall, save as otherwise provided by this Act, be closed for the service of customers not later than 12 o’clock noon (local time) on Wednesday in every week during the period between the first day of April and the thirty-first day of August in each year.
- (2) Subject to the provisions of subsection (3), this section shall not apply to a shop in which the only or principal trade or business carried on belongs to one of the classes mentioned in the schedule, or one of the classes which may be added thereto by order of the Lieutenant Governor in Council, which addition is hereby authorised. Every such order shall be published in *The Saskatchewan Gazette*.
- (3) The council may from time to time, by bylaw, declare that any or all of the trades or businesses mentioned in the schedule, or added thereto by order of the Lieutenant Governor in Council, shall be subject to the provisions of this Act, and thereupon those provisions shall apply to every shop within the city in which any such trade or business is carried on.
- Penalty **4.**—(1) Every employer to whom this Act applies shall keep his shop closed for the service of customers from and after twelve o’clock noon (local time) on every weekly half-

holiday and during the remainder of such day, and, in case of failure to comply with this provision, the employer shall be guilty of an offence and liable, on summary conviction, to a penalty not exceeding twenty-five dollars.

(2) No one shall be liable to a penalty for serving after the closing hour customers who were in the shop at that hour.

5. Where an offence for which the employer is liable under this Act to a penalty has, in fact, been committed by an agent or servant of the employer, the agent or servant shall be liable to the same penalty as if he were the employer. Agent or servant liable to penalty

6.—(1) Where an employer is charged with an offence against this Act, he shall be entitled, upon information duly laid by him, to have any person whom he charges as the actual offender brought before the magistrate at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the magistrate that he has used due diligence to observe the provisions of this Act, and that the said person committed the offence in question without his knowledge, consent or connivance, or wilful neglect or default, the employer shall not be liable to a penalty, but the offender shall thereupon be summarily convicted and shall be liable to the same penalty therefor as if he were the employer. Exemption of employers in certain cases

(2) When the employer is a corporation, such information may be laid by the president, secretary, or any director or by the solicitor of the corporation.

7. The provisions of this Act shall extend to every shop where there are no employees, and the owner, proprietor or manager of such a shop shall be liable to the penalties provided in this Act in the same manner and to the same extent as if he were an employer, and the agent of such owner, proprietor or manager shall also be liable to the same extent as if he were an agent of an employer. Application of Act

8. The provisions of this Act shall not apply in respect of any week which includes Good Friday, Victoria Day, Dominion Day or any day appointed by proclamation and declared to be a public holiday. Exceptions

SCHEDULE.

(Section 3).

TRADES AND BUSINESSES EXEMPT FROM THE PROVISIONS OF THE ACT.

Bakeries, cigar-stands, drug-stores, newspaper-stands, restaurants, shops or stands for the sale of fresh fruits, vege-

tables, soft drinks, cut flowers, and dairy products, confectioners' shops, implement shops, blacksmiths' shops, service stations and garages, and such other trades or businesses as may be declared exempt by Order of the Lieutenant Governor in Council published in *The Saskatchewan Gazette*.