



Office and Shop Premises Act (Northern Ireland) 1966

1966 CHAPTER 26

An Act to make provision for securing the health, safety and welfare of persons employed to work in office or shop premises; and for connected purposes. [7th July 1966]

SCOPE OF ACT

1 Premises to which this Act applies.

(1) The premises to which this Act applies are office premises and shop premises, being (in either case) premises in the case of which persons are employed to work therein.

(2) In this Act—

- (a) “office premises” means a building or part of a building, being a building or part the sole or principal use of which is as an office or for office purposes;
- (b) “office purposes” includes the purposes of administration, clerical work, handling money and telephone and telegraph operating; and
- (c) “clerical work” includes writing, book-keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication;

and for the purposes of this Act premises occupied together with office premises for the purposes of the activities carried on in the office premises shall be treated as forming part of the office premises.

(3) In this Act—

- (a) “shop premises” means—
 - (i) a shop;

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- (ii) a building or part of a building, being a building or part which is not a shop but of which the sole or principal use is the carrying on there of retail trade or business;
- (iii) a building occupied by a wholesale dealer or merchant where goods are kept for sale wholesale or a part of a building so occupied where goods are so kept, but not including a warehouse belonging to the owners, trustees or commissioners of a dock, wharf or quay;
- (iv) a building to which members of the public are invited to resort for the purpose of delivering there goods for repair or other treatment or of themselves there carrying out repairs to, or other treatment of, goods, or a part of a building to which members of the public are invited to resort for that purpose;
- (v) any premises (in this Act referred to as “fuel storage premises”) occupied for the purpose of a trade or business which consists of, or includes, the sale of solid fuel, being premises used for the storage of such fuel intended to be sold in the course of that trade or business, but not including dock storage premises [^{F1} or colliery storage premises];
- (b) “retail trade or business” includes the sale to members of the public of food or drink for immediate consumption, retail sales by auction and the business of lending books or periodicals for the purpose of gain;
- (c) “solid fuel” means coal, coke and any solid fuel derived from coal or of which coal or coke is a constituent; and
- (d) “dock storage premises” means fuel storage premises which constitute or are comprised in premises to which certain provisions of the Factories Act (Northern Ireland) 1965 (in this Act referred to as “the Factories Act”) apply by virtue of section 123(1) (docks, etc.) of that Act;
- ^{F1}(e) “colliery storage premises” means fuel storage premises which form part of premises which, for the purposes of the enactments for the regulation of mines, form part of a mine, other than premises where persons are regularly employed to work by a person other than the owner (as defined by those enactments) of the mine;]

and for the purposes of this Act premises occupied together with a shop or with a building or part of a building falling within sub-paragraph (ii), (iii) or (iv) of paragraph (a) above for the purposes of the trade or business carried on in the shop or, as the case may be, the building or part of a building, shall be treated as forming part of the shop or, as the case may be, of the building or part of the building, and premises (not being office premises) occupied together with fuel storage premises for the purposes of the activities carried on in the fuel storage premises shall be treated as forming part of the fuel storage premises, but for the purposes of this Act office premises comprised in fuel storage premises shall be deemed not to form part of the last-mentioned premises.

- (4) For the purposes of this Act premises maintained in conjunction with office or shop premises for the purpose of the sale or supply for immediate consumption of food or drink wholly or mainly to persons employed to work in the premises in conjunction with which they are maintained shall, if they neither form part of those premises nor are required by the foregoing provisions of this section to be treated as forming part of them, be treated for the purposes of this Act as premises of the class within which fall the premises in conjunction with which they are maintained.

2 Exception for premises in which only employer's relatives or outworkers work.

- (1) This Act shall not apply to any premises to which it would, apart from this subsection, apply, if none of the persons employed to work in the premises is other than the husband, wife^{F2}, civil partner], parent, grandparent, son, daughter, grandchild, brother or sister of the person by whom they are so employed.
- (2) A dwelling shall not, for the purposes of this Act, be taken to constitute or comprise premises to which this Act applies by reason only that a person dwelling there who is employed by a person who does not so dwell does there the work that he is employed to do in compliance with a term of his contract of service that he shall do it there.

F2 2004 c.33

3 Exception for premises where only 21 man-hours weekly normally worked.

- (1) This Act shall not apply to any premises to which it would, apart from this subsection, apply, if the period of time worked there during each week does not normally exceed twenty-one hours.
- (2) For the purposes of this section the period of time worked in any premises shall be deemed to be—
 - (a) as regards a week in which one person only is employed to work in the premises, the period of time worked by him there;
 - (b) as regards a week in which two persons or more are so employed, the sum of the periods of time for which respectively those persons work there.

Subs.(3) rep. by SR 1979/284

Ss. 4#16 rep. by SR 1993/37

S. 17 rep. by SR 1993/19

S. 18 rep. by SR 1997/387

S. 19 rep. by SR 1999/305

Ss.20#22 rep. by SR 1979/284

S. 23 rep. by SR 1992/535

S. 24 rep. by SR 1982/429

Ss. 25#27 rep. by SR 1979/284

Ss. 28#41 rep. by SR 1986/351

SPECIAL PROVISIONS WITH RESPECT TO BUILDINGS WHEREOF PARTS ARE OFFICE, &C.,
PREMISES AND WITH RESPECT TO CERTAIN CONTIGUOUS FUEL STORAGE PREMISES

42 Provisions with respect to buildings in single ownership.

- (1) A building to which this section applies is one all parts of which are in the same ownership and a part of which consists of premises to which this Act applies, being

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premises held under a lease or an agreement for a lease or under a licence; and in this section a reference to a common part of a building to which this section applies shall be taken to refer to a part of the building that is used for the purposes of, but is not comprised in, a part of the building that consists of premises to which this Act applies.

- (2) The following provisions shall have effect for securing the cleanliness of common parts of buildings to which this section applies, that is to say:—

(a) every common part of a building to which this section applies, and all furniture, furnishings and fittings in such a part, shall be kept in a clean state;

Para.(b) rep. by SR 1979/284

- (3) The following provisions shall have effect for securing the illumination of common parts of buildings to which this section applies, that is to say:—

(a) effective provision shall be made for securing and maintaining, in every such part of a common part of a building to which this section applies as the following, namely, a part in which persons are working or passing, suitable and sufficient lighting, whether natural or artificial;

Para.(b) rep. by SR 1979/284

(c) all glazed windows and skylights used for the lighting of a part of a common part of a building to which this section applies in which the securing of lighting is required by this subsection to be provided for shall, so far as reasonably practicable, be kept clean on both the inner and outer surfaces and free from obstruction;

(d) all apparatus installed in a common part of a building to which this section applies for producing artificial lighting in a part of that part in which the securing of lighting is required by this subsection to be provided for shall be properly maintained;

but paragraph (c) shall not affect the whitewashing or shading of windows or skylights for the purpose of mitigating heat or glare.

- (4) Section 16(1) shall apply to floors, stairs, steps, passages and gangways comprised in, or constituting, a common part of a building to which this section applies as it applies to floors, stairs, steps, passages and gangways in premises to which this Act applies, subsection (2) of section 16 shall apply to a staircase comprised in, or constituting, a common part of such a building as it applies to such a staircase as is mentioned in that subsection, and section 16(3) shall apply to an open side of such a staircase as is first mentioned in this subsection as it applies to an open side of such a staircase as is mentioned in section 16(2).
- (5) In the event of a contravention, in relation to a common part of a building to which this section applies, of subsection (2) or (3) ...^{F3}, and in the event of a contravention, in relation to any thing constituting, or comprised in, any such common part, of section 16 as applied by subsection (4), the owner of the building shall be guilty of an offence.
- (6) For a contravention, in relation to premises comprised in a building to which this section applies, of section 9 (other than a contravention consisting in a failure to keep clean conveniences provided in pursuance of that section, not being conveniences provided for use jointly by the persons employed to work in the premises and by other persons), the owner of the building shall be responsible instead of the occupier of the premises.
- (7) For a contravention, in relation to premises comprised in a building to which this section applies, of section 10 (other than a contravention consisting in a failure to

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provide means of cleaning or drying or a failure to keep clean and in orderly condition the place where facilities are provided in pursuance of that section, not being facilities provided for use jointly by the persons employed to work in the premises and by other persons) the owner of the building shall be responsible instead of the occupier of the premises.

Subs.(8)(9) rep. by SR 1979/284

Subs. 10#15 rep. by SR 1986/351

F3 SR 1979/284

43 Provisions with respect to contiguous fuel storage premises in single ownership.

Where two sets or more of fuel storage premises any of which is held under a lease or an agreement for a lease or under a licence are established on a parcel of land all parts of which are in the same ownership, then—

- (a) for a contravention, in relation to any of those sets of premises, of section 9 (other than a contravention consisting in a failure to keep clean conveniences provided in pursuance of that section, not being conveniences provided for use jointly by the persons employed to work in that set of premises and by other persons); and
- (b) for a contravention, in relation to any of those sets of premises, of section 10 (other than a contravention consisting in a failure to provide means of cleaning and drying or a failure to keep clean and in orderly condition the place where facilities are provided in pursuance of that section, not being facilities provided for use jointly by the persons employed to work in that set of premises and by other persons);

the owner of that set of premises shall be responsible instead of the occupier thereof.

S. 44 rep. by SR 1979/284

45 Power of authorities who enforce Act to grant exemptions from certain requirements thereof.

- (1) The authority having power to enforce, with respect to any premises, the following provisions of this Act, namely, section 5(2) and sections 6 and 9, may, subject to such conditions as the authority may specify,—
 - (a) exempt the premises or any room therein from all or any of the requirements imposed by sections 5(2) and 6;
 - (b) exempt the premises from all or any of the requirements imposed by section 9; if satisfied that, in the circumstances affecting the subject of the exemption, compliance with the requirements or requirement from which exemption is granted is not reasonably practicable.
- (2) The authority having power to enforce section 10(1) with respect to any premises may, if satisfied that it is not reasonably practicable for running water to be supplied there or for running water so supplied to be heated, exempt the premises from so much of that subsection as requires the water supplied to be running water.
- (3) An exemption under subsection (1) of, or of a room in, any premises from a requirement of a provision of this Act may be granted for a period not exceeding two years, but may from time to time be extended for a further such period beyond