



ASCENSION

REVISED EDITION OF THE LAWS 2016

EMPLOYMENT & COMMERCE

SUNDAY OBSERVANCE (ASCENSION) ORDINANCE, 1849¹

*Ordinance SH3 of 1849²
In force 22 February 1849*

Applied to Ascension by s. 31(a) of the Customs Ordinance, 2002 and by the St Helena Law (Application to Ascension) Ordinance, 1988.

*Amended by SH Ordinances 1 of 1908, 17 of 1955, 5 of 2000.
The text also modifies the St Helena Ordinance to the circumstances of Ascension as required by section 2(2) of the 1988 Ordinance.³*

SH subsidiary legislation:

SUNDAY (OBSERVANCE) REGULATIONS, 2000

*Legal Notice 18 of 2000
Amended by Legal Notice 26 of 2009*

SUNDAY OBSERVANCE (ASCENSION) ORDINANCE, 1849

AN ORDINANCE to provide for the observance of the Sabbath Day.

Short title

1. This Ordinance may be cited as the Sunday Observance (Ascension) Ordinance, 1849

Work on Sunday

2. (1) Except for the provision of emergency services and essential public

¹ This text is not authoritative but was prepared by the Law Revision Commissioner under section 14 of the Revised Edition of the Laws Ordinance, 1999 as stating the law at 1 November 2017.

² The Sunday Observance Ordinance, 1949, was repealed for St Helena by the Employment Rights (Amendment) Ordinance 2017 (Ord. 13/2017) but is still law in Ascension

³ “(2) The said law of St Helena applies to Ascension only in so far as it is applicable and suitable to local circumstances, and subject to such modifications, adaptations, qualifications and exemptions as local circumstances render necessary.”

services, no person may be compelled to perform any work on a Sunday or any part of a Sunday.

(2) An employer who employs any person on a Sunday must pay the person, in respect of any work performed on that Sunday, wages at double the rate paid in normal working hours.

(3) The Governor may by order set out various categories of persons to whom the provisions of subsection (2) do not apply.

(4) For the purposes of this section, but without limiting its meaning—
“**emergency services**” means police, fire and ambulance services and any other such service that may be required in an emergency to deal with the preservation of life and property;
“**essential public services**” means services that are essential to ensure the health, safety and welfare of the public.

Shop opening restricted

3. (1) Subject to subsection (2), all shops, stores and places of business are restricted to prescribed opening hours on a Sunday.

(2) The Governor may by regulations prescribe the hours during which shops, stores and places of business may open on a Sunday.

(3) A person who contravenes any regulations made under subsection (2) commits an offence.

Penalty: A fine of £200.

4. *Repealed*

5. *Repealed*

SUNDAY (OBSERVANCE) ORDINANCE, 1849

SUNDAY (OBSERVANCE) REGULATIONS, 2000

(Section 3)

Citation

1. These Regulations may be cited as the Sunday (Observance) Regulations, 2000

Specified opening hours

2. (1) The hours during which shops, stores and places of business may open on a Sunday are between the hours of 10.00 a.m. and 6.00 p.m.

(2) The Island Council may, on any special occasion and on receiving written

application for the extension of the specified hours from the proprietor of any shop, store or place of business, extend the opening hours referred to in sub-regulation (1) in respect of that shop, store or business.

(3) For the purposes of sub-regulation (2) “**special occasion**” means a special occasion of local or national celebration or an occasion when there is a vessel carrying passengers or a naval vessel in port.
