



Shop Opening Hours Reform

MEA's Position Statement

October 2014

The Malta Employers' Association has gone through the recommended changes to revise shop opening hours and is forwarding the following reactions.

Recommendation	Proposal
<p>a. All shops currently not allowed to open on Sunday be allowed to do so between 6.00am to 5.00pm provided that they remain closed on another day chosen by shop owners which is communicated to the Commerce Department. Furthermore, shops are to have a fixed sign on the outside of their shop window indicating the days that they will be opening on and the day that they will be closed. (This does not apply to the Christmas period where the current exceptions will continue to apply).</p>	<p>MEA is against the idea of enforcing a closure of one day during the week if the owner decides to open on a Sunday. This should be left at the discretion of the owners. The rights of employees to a weekly day of rest, as provided for in the Working Time regulations, will still have to be respected even if the establishment opens seven days a week. The provisions of labour legislation will have to be enforced.</p>
<p>b. All shops be permitted to open on Public Holidays (except Good Friday) which do not fall on a Sunday (rather than the current procedure where the Minister has to issue a notice each time).</p>	<p>MEA agrees with this point in principle. It needs to be clarified whether the establishment can open should a public holiday fall on a Sunday. It needs to be considered that online shopping services are available 24/7, and if we want to establish a level playing field between online shopping and retail, retail opening hours should not be restricted in any way. Some outlets may also be given a permit to open 24/7 if it creates convenience to customers and does not generate inconvenience to other parties.</p>
<p>c. Shops will be permitted to remain open during Carnival and on Easter Sunday. (Christmas Day is covered by the Christmas period exception.) Licensed catering establishments, nightclubs and discotheques or other premises where dancing is held, which do not already have such a permit to remain open for business until 4.00am during Carnival,</p>	<p>MEA agrees with this proposal. This should be in conjunction with other regulations, or with a proviso, that ensure that other establishments are not negatively affected by these opening hours. For example, in the case of noise emanating from discos which affect hotel residents (and other residents) nearby.</p>

<p>and on Easter Saturday, Christmas Eve and New Year's Eve (as opposed to the current procedure where the Minister has to issue a notice each time).</p>	
<p>d. All shops be given the possibility to extend their business hours up to 10.00pm on Thursday, Friday and Saturday without having to seek permission.</p>	<p>This is a step forward. Maybe outlets should be given the option to open on any day till 10.00pm. if there is no disturbance in the neighbourhood.</p>
<p>e. Grocers and supermarkets be allowed to open on Sundays in non-tourist localities from 6.00am to 1.00pm just the same as other shops selling essential items (without having to close on another day).</p>	<p>MEA believes that there should be no discrimination between different types of outlets. Supermarkets should have equal opportunity to open during the same times as other establishments.</p>
<p>f. The 350 square meter size restriction on grocers in tourist localities be removed;</p>	<p>If Malta is to have a strategy to extend tourism to village cores all over the country, rather than in so-called tourist areas, opening times should be harmonised irrespective of location. In this respect Malta and Gozo should be treated as one tourist area and customers from all localities have similar needs.</p>
<p>g. The exemption given to Valletta be extended also to Bormla, Vittoriosa, Senglea and Kalkara when a ship is anchored on that side of Grand Harbour;</p>	<p>MEA agrees with this recommendation, but suggests that other destinations, such as Floriana, should be given due consideration as well. After all, tours from cruise liners take tourists to many parts of Malta, not just the harbour area.</p>
<p>h. The responsibility to accept or refuse applications for the extension of business hours in the case of establishments regulated by MTA be vested in the MTA.</p>	<p>This is agreed to insofar that the extended openings do not infringe on the rights of other establishments and residents as mentioned earlier in this document.</p>