

These notes relate to the Christmas Day and New Year's Day Trading (Scotland) Act 2007 (asp 13) which received Royal Assent on 13 April 2007

CHRISTMAS DAY AND NEW YEAR'S DAY TRADING (SCOTLAND) ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Large shops not to open on Christmas Day

5. **Section 1** prevents a large shop from opening on Christmas day for the purpose of retail trading unless that large shop is exempt under section 2. A large shop is defined in section 6 as one with a relevant floor area over 280 square metres. The relevant area is defined as the area being used for making retail sales or displaying goods in connection with such sales. The definition of “retail sale” makes clear that it is opening for the purpose of retailing goods to the general public unconnected to a trade or business that is being prohibited.
6. The area to qualify as a large shop is taken from the Sunday Trading Act 1994. A similar description was also used in the Christmas Day (Trading) Act 2004. Neither measure applies to Scotland.