

EXTRAORDINARY

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# The Sindh Government Gazette

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KARACHI FRIDAY APRIL 29, 2016

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## PART-IV

PROVINCIAL ASSEMBLY OF SINDH  
NOTIFICATION  
KARACHI, THE 29<sup>TH</sup> APRIL, 2016.

NO.PAS/Legis-B-45/2015-The Sindh Shops and Commercial Establishment Bill, 2015 having been passed by the Provincial Assembly of Sindh on 21<sup>st</sup> March, 2016 and assented to by the Governor of Sindh on 25<sup>th</sup> April, 2016 is hereby published as an Act of the Legislature of Sindh.

THE SINDH SHOPS AND COMMERCIAL  
ESTABLISHMENT ACT, 2015.

SINDH ACT NO. XII OF 2016.

AN  
ACT

to amend and consolidate the law relating to the hours and other conditions of work and employment of persons employed in shops and commercial, industrial and other establishments in the Province of Sindh.

**WHEREAS** it is expedient to amend and consolidate the law relating to the hours and other conditions of work and employment of persons employed in shops and commercial, industrial and other establishments in Province of Sindh and matters connected therewith and ancillary thereto;

Preamble

L(iv)-220-2

Ext -IV-1

(124-21)

Price Rs. 100.00

It is hereby enacted as follows:

**Short title, extent,  
commencement and  
application.**

1. (1) This Act may be called the Sindh Shops and Commercial Establishment Act, 2015.
- (2) It shall extend to the whole of the Province of Sindh.
- (3) It shall come into force at once in such areas, and its provisions shall automatically apply to such establishments or classes thereof, to which any law on the subject was applicable immediately before the coming into force of this Act.
- (4) Government may, by notification in the official Gazette, extend the operation of this Act or any provisions thereof to any other area or establishment, or exclude any area or establishment to which it extends, from its operation.

**Definitions.**

- 2.(1) In this Act, unless there is anything repugnant in the subject or context -
  - (a) "adolescent" means who has completed fourteenth years but has not completed eighteenth year age;
  - (b) "adult" means a person who has completed his eighteenth year of age;
  - (c) "apprentice" means a person who is employed, whether on payment of wages or not, for the purposes of being trained in any trade, craft or employment in any establishment;
  - (d) "child" means a person who has not completed fourteenth year of age;
  - (e) "closed" means not open for the service of any customer or to any business connected with the establishment;
  - (f) "commercial establishment" means an establishment which carries on any business, trade or profession or any work in connection with, or incidental or ancillary to, any business, trade or profession, and includes:
    - (i) a society registered under the Societies Registration Act, 1860 (XXI of 1860), and a charitable or other trust, whether registered or not, which carries on, whether for purpose of gain or not, any business, trade or profession, or any work in connection with or incidental or ancillary thereto;
    - (ii) an establishment wherein there is conducted the business of advertising, commission, forwarding or a commercial agency;
    - (iii) a clerical department of a factory or of any industrial or commercial undertaking;

- (iv) an insurance company, joint stock company, bank, broker's offices or exchange and office of lawyers, income-tax practitioners, registered accountants, contractors and engineers;
- (v) such other professional establishments or class thereof as Government may, by notification in the official Gazette, declare to be commercial establishments for the purposes of this Act;
- but does not include a factory, residential hotel, restaurant, eating house and theater or other place of public amusement or entertainment running on non-commercial basis;
- (g) "day" means the period of twenty four hours beginning at midnight; provided that in the case of an employee, whose hours of work extend beyond midnight, day means the period of twenty-four hours beginning when such employment commences, irrespective of midnight;
- (h) "employee" means any person employed whether directly or otherwise, about the business of an establishment for the owner or occupier thereof, even though he receives no reward or remuneration for his labour, but does not include a member of the employer's family;
- (i) "employer" means a person owning or having charge of the business of an establishment, and includes an agent or manager or any other person acting on behalf of such person in the general management or control of such establishment;
- (j) "employer's family" means the employer's husband or wife, as the case may be, sons, daughters, father, mother, and brothers and sisters living with and dependent on the employer;
- (k) "establishment" means a shop, commercial establishment, industrial establishment, private dispensary, maternity home, residential hotel, restaurant, eating house, café, cinema, theater, circus, or other place of public amusement or entertainment, and such other establishments or class thereof as Government may, by notification in the official Gazette, declare to be establishments for the purposes of this Act;
- (l) "factory" means a factory as defined in clause (j) of section 2 of the Factories Act, 1934 (XXV of 1934);
- (m) "form" means a form specified in the Schedule;
- (n) "Government" means the Government of Sindh;

