



Offices, Shops and Railway Premises Act 1963

If you intend to employ any person or persons to work in shop or office premises you are required by Section 49 of the Offices, Shops and Railway Premises Act 1963 and the Notification of Employment of Persons Order 1964, to complete this form and send it to the appropriate authority (see over for details). Please read the explanatory notes on pages 2 and 4 before completing the form.

Please ensure that the duplicate form on page 3 is completed (using carbon paper if you wish) and send it with the top copy to the appropriate authority. They will send the

duplicate form to the fire authority for your area. (You may need a fire certificate – see note 9 on page 4.)

A separate form should be completed for each set of premises with a different postal address. Where several occupiers have premises at the same address, each occupier should complete a form in respect of his premises.

When completing the form, please delete either Part 1 or Part 11 as appropriate.

Notice in form prescribed by the Secretary of State for Employment, of employment of persons in office or shop premises

Part 1

Notice is hereby given that on the (insert date) _____, the employer specified in Part III of this notice, will begin to employ persons to work in the premises described therein.

Part 11

Notice is hereby given that the employer specified in Part III of this notice is employing persons to work in the premises described therein.

Part 111

- 1 (a) Name of employer
(b) Trading name, if any
2 (a) Postal address of the premises
(b) Telephone no.
3 Nature of business
4 How many persons are or will be employed by the employer in office or shop premises at the above address in the following types of workplace? (See notes 3-7).
(a) Office
(b) Shop (retail)
(c) Wholesale department or warehouse
(d) Catering establishment open to the public
(e) Staff canteen
Fuel storage depot
Total
Of the total, how many are females?
5 How many of the total are or will be employed on floors other than the ground floor?
6 Of the total stated in reply to question 4, are any (or will any be) housed in separate buildings?
7 Is the employer the owner of the building(s) (or part of the building(s)) containing the premises?
8 If not, state the name and address of the owner(s) or person(s) to whom rent is paid

Signature of employer or person authorised to sign

Date

For official use

Explanatory notes

(These notes do not purport to be comprehensive and in case of doubt you should consult the appropriate authority specified in note 1 below.)

Appropriate authority to whom this form should be sent

1 The appropriate authority depending upon the class of premises is:-

<i>Class of premises</i>	<i>Appropriate authority</i>
(a) Offices and shops (including fuel storage premises) other than those mentioned under (b) to (g) immediately below.	Local authority for the area in which premises are situated. (In England and Wales, the District/Borough/City Council. In Scotland the District/Island Council).
(b) Premises owned or occupied by the Crown.	Health and Safety Executive.
(c) Premises occupied by county councils, local police and fire authorities and probation committees (including offices and shops in schools maintained by a local education authority).	Health and Safety Executive.
(d) UK Atomic Energy Authority premises.	Health and Safety Executive.
(e) Offices and shops in factories and other places covered by the Factories Act 1961.	Health and Safety Executive.
(f) Fuel storage premises on land owned by railway undertakers.	Health and Safety Executive.
(g) Offices and shops at mines and quarries, including certain fuel storage premises (see note 4(d)).	Health and Safety Executive.

Addresses of the Health and Safety Executive for your area and of local authorities may be obtained at any Employment Office.

Premises to which the Act applies

2 Generally speaking all office and shop premises are within the scope of the Act. Premises to which the Act **does not apply are:**

- (a) places where only self-employed people work.
- (b) Businesses where the only persons employed are close relatives of the employer, i.e. husband, wife, parent, grandparent, son, daughter, grandchild, brother or sister of the persons by whom they are employed.
- (c) Outworkers' dwellings (if they are the only persons employed there).
- (d) Premises where the sum of hours normally worked each work by all employees is not more than 21.
- (e) Premises occupied solely by members of the armed forces or of the armed forces of certain other countries.
- (f) Premises used for selling fish wholesale in docks.
- (h) Parts of mines below ground.

In effect the Act also excludes premises occupied for purposes that are accomplished within short periods (i.e. six weeks for a permanent structure, or six months for a movable structure).

3 **Office premises** means a building (or part of a building) the sole or principal use of which is an office or for "office purposes"; "office purposes" includes administration, clerical work, handling money, and telephone and telegraph operating; and "clerical work" includes writing, book-keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication. This definition includes offices which are part of a building used for other purposes (e.g. offices in factories, hospitals and clubs). It also includes such places as

(2)

ticket offices, travel agencies and betting offices. Offices occupied by railway undertakers situated in the immediate vicinity of the permanent way are registered under separate arrangements and occupiers of such premises should not complete this form except in respect of offices in hotels.

4 **Shop premises** include the following:

(a) **Shop (retail)**

This includes "shops" in the everyday sense of the word, e.g. butchers, grocers, etc; it also includes a building (or part of a building) (1) of which the sole or principal use is the carrying on there of retail trade or business, e.g. barbers and hairdressers, retail sales by auction, lending books or periodicals for gain; and (2) to which members of the public are invited to resort either to leave goods for repair or treatment or to carry out the repair or treatment themselves, e.g. the parts of shoe repair shops or dry cleaning establishments where goods are received, or self-service laundries.

(b) **Wholesale premises or warehouses**

A building (or part of a building) occupied by a wholesale dealer or merchant where goods are kept for sale wholesale (but excluding warehouses forming part of factories or belonging to the owners, trustees or conservators of docks, wharves or quays).

(c) **Catering establishments open to the public**

This includes such places as teashops, cafes, restaurants, fish and chip shops and public houses. Bars and dining rooms of hotels are also included if they are principally used for serving non-residents.

(d) **Fuel storage premises**

This includes premises used for the storage of coal, coke and similar solid fuel and occupied for the purpose of a trade or business which consists of, or includes, the sale of such fuel. It does not, however, include such premises

See page 4 overleaf

Do not detach this page

Notice in form prescribed by the Secretary of State for Employment, of employment of persons in office or shop premises

Part 1

Notice is hereby given that on the *(insert date)* _____, the employer specified in Part III Of this notice, will begin to employ persons to work in the premises described therein.

Part 11

Notice is hereby given that the employer specified in Part 111 of this notice is employing persons to work in the premises described therein.

Part 111

1	(a) Name of employer	_____
	(b) Trading name, if any	_____
2	(a) Postal address of the premises	_____ _____ _____
	(b) Telephone no.	_____
3	Nature of business	_____
4	How many persons are or will be employed by the employer in office or shop premises at the above address in the following types of workplace? <i>(See notes 3-7).</i>	
	(a) Office	_____
	(b) Shop (retail)	_____
	(c) Wholesale department or warehouse	_____
	(d) Catering establishment open to the public	_____
	(e) Staff canteen	_____
	(f) Fuel storage depot	_____
	Total	_____
	Of the total , how many are females?	_____
5	How many of the total are or will be employed on floors <i>other</i> than the ground floor?	_____
6	Of the total stated in reply to question 4, are any (or will any be) housed in separate buildings?	_____
		<i>(Answer Yes or No)</i>
7	Is the employer the owner of the building(s) (or part of the building(s)) containing the premises?	_____
		<i>(Answer Yes or No)</i>
8	If not, state the name and address of the owner(s) or person(s) to whom rent is paid	_____ _____ _____

Signature of employer or person authorised to sign

Date

For official use

- (1) in docks, or (2) at mines except for those where employees other than mine employees work.
- 5 Premises occupied together with office or shop premises for the purposes of the activities carried on there are treated as part of the premises for the purpose of the Act. You should therefore include in the total figure under question 4 such workers as cleaners, boilermakers, van drivers or travellers (so long as they are based in the office or shop), or those in staff canteens at the same address wholly or mainly serving office or shop workers. The last should also be shown separately under the appropriate heading. If your staff canteen is situated at an address different from that of your premises, a separate registration form should be completed. Do not include anyone who spends most of his time working in any parts of your premises to which the Act does not apply, e.g. any parts which are registered as a "factory" under the Factories Act 1961.
- 6 In answering question 4, you should count only the staff actually employed (or whom you intend to employ) at the time when the form is completed. Part-time workers should be counted as full units. You are not required to notify changes in the numbers employed unless this is necessary for the purpose of fire certification. (see note 9).
- 7 Questions 4(a) to (f) are asked in order to establish how many of the persons employed on your premises are working in different parts of the premises in the various categories listed in notes 3 to 5 above. For example, a departmental store may contain an office, restaurant and staff canteen as well as those parts used for retailing. If your premises are divided in this kind of way, you should show the number of persons working in the different parts of the premises. Workers who are employed in more than one part of the premises should be classified according to the part where they spend most of their time. For example, a shop assistant occasionally serving in a restaurant attached to the shop should be included in the figure for "shop (retail)". A cashier working in a shop should be included in the figure for "shop (retail)". If your premises are not divided into different parts, all you need to do is to state the figure under the appropriate heading.
- 8 Detailed information about the Act is given in the Guide to the Offices, Shops and Railway Premises Act 1963 (HS(R)4(Rev) ISBN 0 11 8854631, published by HM Stationery Office. The Guide can be obtained at branches of HM Stationery Office or through booksellers.
- 9 The Fire Precautions (Factories, Offices, Shops and Railway Premises) Order 1989, S1 1989 No 76, designates premises for which a fire certificate is required. These are, with some minor qualifications, factory, office, shop and railway premises to which the Factory Act 1961 and the Offices, Shops and Railway Premises Act 1963 apply in which either (a) more than 20 persons are at work at any one time or (b) more than 10 persons are at work at any one time elsewhere than on the ground floor. Additionally a fire certificate is required if a building contains two or more premises of these kinds and the aggregate of persons at work elsewhere than on the ground floor in these premises exceeds 10. A fire certificate is also required in respect of factory premises in or under which explosive or highly flammable material are used or stored unless the fire authority has determined otherwise.
- For the purposes of the 1980 Order "at work" includes employee, self-employed, apprentice or trainee.
- Application for a fire certificate should be made on form FP1 (Rev) which can be obtained from your local fire authority whose address can be found in the telephone directory under your local authority.
- If a fire certificate is not required, section 9A of the Fire Precautions Act 1971 requires factory, office, shop and railway premises to be provided with such means of escape and means for fighting fire as may reasonably be required. Guidance on how to meet this duty is given in the Code of Practice for fire precautions in factories, offices, shops and Railway premises not required to have a fire certificate, published by HMSO, ISBN 0 11 340904 4.