



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Shops and
Establishments (Amendment)
Bill, 2012**

(Bill No. 11 of 2012)

(As passed by the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
August, 2012**

The Goa Shops and Establishments (Amendment) Bill, 2012

(Bill No.11 of 2012)

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BILL

further to amend the Goa, Daman and Diu Shops and Establishments Act, 1973.(Act 13 of 1974)

Be it enacted by the Legislative Assembly of Goa in the Sixty-third Year of the Republic of India as follows:-

1. Short title and commencement.— (1) This Act may be called the Goa Shops and Establishments (Amendment) Act, 2012.

(2) It shall come into force at once.

2. Amendment of section 2.— In section 2 of the Goa, Daman and Diu Shops and Establishments Act, 1973 (Act 13 of 1974) (hereinafter referred to as the "principal Act"),-

(i) in clause (4), sub-clause (c) thereof shall be omitted;

(ii) in clause (9), for the words "and a bank", the expression ",bank and a financial institution" shall be substituted;

(iii) clause (10A) shall be renumbered as clause (10B) and before clause (10B) as so renumbered the following clause shall be inserted, namely:—

"(10-A) '*financial institution*' means any non-banking institution which carries on as its business or part of its business any of the following activities, namely:-

(i) the financing, whether by way of making loans or advances or otherwise, of any activity other than its own;

(ii) the acquisition of shares, stock, bonds, debentures or securities issued by a Government or local authority or other marketable securities of a like nature;

(iii) letting or delivering of any goods to a hirer under a hire-purchase agreement as defined in clause (c) of section 2 of the Hire-Purchase Act, 1972 (Central Act 26 of 1972);

(iv) the carrying on of any class of insurance business;

(v) managing, conducting or supervising, as foreman, agent or in any other capacity, of chits or kuries as defined in any law which is for the time being in force in the State of Goa, or any business, which is similar thereto;

(vi) collecting, for any purpose or under any scheme or arrangement by whatever name called, monies in lump sum or otherwise, by way of subscriptions or by sale of units, or other instruments or in any other manner and awarding prizes or gifts, whether in cash or kind, or disbursing monies in any other way, to persons from whom monies are collected or to any other person,

but does not include any institution, which carries on as its principal business,-

(a) agricultural operations; or

(b) industrial activity; or

Explanation.— For the purposes of this clause, "industrial activity" means any activity specified in sub-clauses (i) to (xviii) of clause (c) of section 2 of the Industrial Development Bank of India Act, 1964 (Central Act 18 of 1964);

(c) the purchase, or sale of any goods (other than securities) or the providing of any services; or

(d) the purchase, construction or sale of immovable property, so, however, that no portion of the income of the institution is derived from the financing of purchases, constructions or sales of immovable property by other persons;"

3. *Amendment of section 3.*— In section 3 of the principal Act, in sub-section (1), for the expression "except a bank", the expression "except a bank and financial institution" shall be substituted.

4. *Amendment of section 3-A.*— In section 3-A of the principal Act, for the word "bank", wherever it occurs, the words "bank or financial institution" shall be substituted.