

Passed by both Houses



New South Wales

Shop Trading (Special Provisions) Bill 1999

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 1999*



New South Wales

Shop Trading (Special Provisions) Bill 1999

Act No , 1999

An Act to provide for certain shops to be kept closed on Sunday 26 December 1999.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Shop Trading (Special Provisions) Act 1999*.

2 Commencement

This Act commences on the date of assent.

3 Definitions

In this Act:

departmental exemption means an exemption under section 78A of the Principal Act.

ministerial exemption means an exemption under section 89B of the Principal Act.

Principal Act means the *Factories, Shops and Industries Act 1962*.

relevant date means the date of introduction into Parliament of the Bill for this Act (whether or not the Act was enacted in the form of the Bill as introduced).

4 Relationship with Principal Act

- (1) This Act is to be construed with and as if it formed part of the Principal Act.
- (2) In the event of any inconsistency between this Act and the Principal Act, this Act prevails to the extent of the inconsistency.
- (3) Words and expressions used in this Act have the same meanings as they have in Part 4 of the Principal Act.

5 Shops to be kept closed on Sunday 26 December 1999

- (1) The purpose of this section is to provide for shops to be kept closed on Sunday 26 December 1999, other than:
 - (a) scheduled shops, and
 - (b) small shops, and
 - (c) shops that are the subject of certain ministerial exemptions.

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- (2) No ministerial exemption or departmental exemption can be granted after the commencement of this Act that would have the effect of exempting a shop or shopkeeper from the operation of section 84 (Trading hours of shops on Sunday) of the Principal Act in respect of Sunday 26 December 1999.
 - (3) Any departmental exemption granted before the commencement of this Act does not operate to allow a shop to open on Sunday 26 December 1999.
 - (4) Any ministerial exemption granted on or after the relevant date does not operate to allow a shop to open on Sunday 26 December 1999.
 - (5) Accordingly, the Principal Act, including sections 84 (1) and 86 (Offences), applies to any shop or shopkeeper that is the subject of an exemption referred to in subsection (3) or (4) in respect of Sunday 26 December 1999.
 - (6) Section 84 (4) of the Principal Act does not apply to this Act.
 - (7) Nothing in this Act affects a ministerial exemption granted before the relevant date.