

## **Shops and Industries Amendment (Special Shop Closures) Bill 2005**

### **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

#### Overview of Bill

The object of this Bill is to amend the *Shops and Industries Act 1962* (***the Principal Act***):

(a) to provide for shops (other than scheduled shops and small shops) to be kept closed on Sunday 25 December 2005, and

(b) to provide for shops (other than scheduled shops and small shops) to be kept closed on Monday 26 December 2005 unless the shops are located in a holiday resort that is subject to a pre-existing exemption under section 89B of the Principal Act that would allow the shops to open on that day, and are staffed by persons who have freely elected to work on that day, and

(c) to provide for shops (other than scheduled shops and small shops) to be kept closed on Sunday 1 January 2006 unless:

(i) the shops are located in a holiday resort that is subject to a pre-existing exemption under section 89B of the Principal Act that would allow the shops to open on that day, or

(ii) the shops are located in the commercial business districts of the Cities of Sydney, Newcastle and Wollongong, or in the commercial business district of Cabramatta, and are subject to pre-existing exemptions under section 78A of the Principal Act that would allow the shops to open on that day,

and are staffed by persons who have freely elected to work on that day, and

(d) to provide that the proposed shop closures have effect despite any exemption granted under section 78A (exemption by the Director-General) or 89B (exemption of holiday resorts) or any order made under section 85 (2) (exemption by Ministerial order) of the Principal Act.

Scheduled shops are shops listed in Schedule 3 to the Principal Act and include, for example, chemists' shops, cooked food shops, newsagencies and video shops.

Small shops are those with two or less shopkeepers that require not more than four persons to conduct the business of the shop on any one day.

#### Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** is a formal provision that gives effect to the amendment to the Principal Act set out in Schedule 1.

#### **Schedule 1 Amendment**

**Schedule 1** amends the Principal Act to insert proposed sections 89E, 89F and 89G, having the effect described above in the Overview.