



New South Wales

# Retail Trading Amendment Bill 2015

## Explanatory note

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

## Overview of Bill

The objects of this Bill are:

- (a) to allow a shop or bank to be open on Boxing Day provided that the shop or bank is staffed only by persons who have freely elected to work on Boxing Day, and
- (b) to allow a shop to receive, unpack and prepare goods for sale on any restricted trading day provided that the shop is staffed only by persons who have freely elected to work on that day, and
- (c) to allow a bank to be open on the Bank Holiday (the first Monday in August) and on other public holidays (other than on Good Friday, Easter Sunday, before 1 pm on Anzac Day and on Christmas Day), provided that the bank is staffed only by persons who have freely elected to work on that day, without obtaining approval under the *Retail Trading Act 2008* (the *principal Act*).

## 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 to the proposed Act.

## Schedule 1 Amendment of Retail Trading Act 2008 No 49

**Schedule 1 [1]** inserts proposed section 3A into the principal Act. The proposed section provides that a person has not freely elected to work on a day if the person has been coerced, harassed,

threatened or intimidated to work on that day or merely because the person has been rostered, or required by the terms of an industrial instrument, to work on that day. **Schedule 1 [3], [4], [6], [7], [12] and [13]** make consequential amendments.

**Schedule 1 [5]** inserts proposed sections 8A and 8B into the principal Act.

Proposed section 8A gives effect to paragraph (b) of the Overview above.

Proposed section 8B gives effect to paragraph (a) of the Overview above in relation to shops.

**Schedule 1 [2]** makes a consequential amendment.

**Schedule 1 [8]** inserts proposed section 14CA. Proposed section 14CA gives effect to paragraphs (a) (in relation to banks) and (c) of the Overview above. **Schedule 1 [9]** makes a similar amendment to allow a financial institution to open on the Bank Holiday without obtaining approval under the principal Act. **Schedule 1 [10] and [11]** make consequential amendments.

## **Schedule 2      Amendment of Retail Trading Regulation 2014**

**Schedule 2** amends the *Retail Trading Regulation 2014* as a consequence of the insertion of proposed sections 8A and 8B.