

New South Wales



ANNO TERTIO

ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. 42, 1954.

An Act to make further provision in relation to shops for the sale of motor spirit, motor oil and motor accessories; for this purpose to amend the Factories and Shops Act, 1912-1950, and certain other Acts; and for purposes connected therewith. [Assented to, 8th December, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Factories and Shops (Amendment) Act, 1954,"

Short title and citation.

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*Factories and Shops (Amendment).*

---

(2) The Factories and Shops Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Factories and Shops Act, 1912-1954.

Amendment  
of Act No.  
39, 1912.

Division 5,  
Part II.  
(Heading.)

Sec. 40.  
(No child  
to be  
employed.)

**2.** The Factories and Shops Act, 1912-1950, is amended—

(a) by omitting from the heading to Division 5 of Part II the words “*in factories*”;

(b) by inserting at the end of section forty the following new subsection:—

(2) No child shall, unless by special permission of the Minister, be employed in any shop in the sale of motor spirit or motor oil.

In this subsection “motor spirit” means any liquid or substance used or adapted or intended to be used for the propulsion of motor vehicles.

Sec. 105.  
(Closing  
times for  
certain  
shops.)

(c) by inserting at the end of section one hundred and five the following new subsection:—

(6) Nothing in this section shall apply to shops for the sale of motor spirit, motor oil or motor accessories.

Sec. 105A.  
(Closing  
and  
opening  
times of  
shops for  
the sale of  
motor spirit,  
etc.)

(d) (i) by omitting subsections one and two of section 105A and by inserting in lieu thereof the following subsections:—

(1) The opening and closing times for shops for the sale of motor spirit, motor oil or motor accessories shall, whether or not employees are employed therein—

(a) on Saturdays, Sundays and public holidays, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

In this paragraph “public holidays” means the first day of January, the twenty-sixth day of January, Easter Monday, the anniversary of the birthday of Her Majesty, and the twenty-sixth day of December,

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*Factories and Shops (Amendment).*

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December, or any day observed as such in accordance with the provisions of the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, and any day appointed by the Governor pursuant thereto as a public holiday throughout the State;

(b) on all other days, be six o'clock in the forenoon and half past eight o'clock in the afternoon respectively:

Provided that on the days observed as Christmas Day, Good Friday and Anzac Day such shops shall be kept closed;

(c) in any part of the State or in any city, town, or district therein, in respect of which the Governor has, pursuant to the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, appointed a special day or special half-day to be observed as a public holiday, on such public holiday, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

In this section "motor accessories" includes spare parts for motor vehicles.

(2) Where after the commencement of the Factories and Shops (Amendment) Act, 1954, an award is made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, fixing the commencing and cessation of the ordinary hours of work by employees in shops for the sale of motor spirit, motor oil or motor accessories in any shopping district or area or part thereof, the

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*Factories and Shops (Amendment).*

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the opening and closing times for such shops in any such shopping district or area or part thereof, whether or not employees are employed therein, shall be the times so fixed respectively for the commencing and cessation of the ordinary hours of work by such employees under such award: Provided that nothing in this section contained shall operate so as to permit any shop for the sale of motor spirit, motor oil or motor accessories to be opened earlier than or closed later than the times prescribed by subsection one of this section as the opening and closing times respectively for such shop.

(ii) by inserting at the end of the same section the following new subsection:—

(7) The provisions of any law, other than this Act and any award referred to in subsection two of this section, to the extent to which it prohibits the sale of motor spirit, motor oil or motor accessories between the opening and closing times fixed by or under this Act for shops for the sale of motor spirit, motor oil or motor accessories, shall, as from the commencement of the Factories and Shops (Amendment) Act, 1954, cease to be of any force or effect.

(e) (i) by inserting in section one hundred and seven after the words "other than shops" wherever occurring the words "for the sale of motor spirit, motor oil or motor accessories and shops";

(ii) by omitting from the same section the words "or by employees in shops for the sale of motor spirit, motor oil, or motor accessories".

Sec. 107.  
(Matters to  
be dealt  
with in  
awards.)

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BY AUTHORITY:

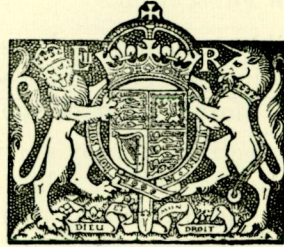
A. H. PETTIFER, Government Printer, Sydney, 1954.

*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.*

H. ROBBINS,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 1 December, 1954.*

## New South Wales



ANNO TERTIO

## ELIZABETHÆ II REGINÆ

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### Act No. 42, 1954.

An Act to make further provision in relation to shops for the sale of motor spirit, motor oil and motor accessories; for this purpose to amend the Factories and Shops Act, 1912-1950, and certain other Acts; and for purposes connected therewith. [Assented to, 8th December, 1954.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Factories and Shops (Amendment) Act, 1954."

Short title  
and  
citation.

(2)

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

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*

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*Factories and Shops (Amendment).*

---

(2) The Factories and Shops Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Factories and Shops Act, 1912-1954.

Amendment  
of Act No.  
39, 1912.  
Division 5,  
Part II.  
(Heading.)  
Sec. 40.  
(No child  
to be  
employed.)

**2.** The Factories and Shops Act, 1912-1950, is amended—

- (a) by omitting from the heading to Division 5 of Part II the words “*in factories*”;
- (b) by inserting at the end of section forty the following new subsection:—

(2) No child shall, unless by special permission of the Minister, be employed in any shop in the sale of motor spirit or motor oil.

In this subsection “motor spirit” means any liquid or substance used or adapted or intended to be used for the propulsion of motor vehicles.

Sec. 105.  
(Closing  
times for  
certain  
shops.)

- (c) by inserting at the end of section one hundred and five the following new subsection:—

(6) Nothing in this section shall apply to shops for the sale of motor spirit, motor oil or motor accessories.

Sec. 105A.  
(Closing  
and  
opening  
times of  
shops for  
the sale of  
motor spirit,  
etc.)

- (d) (i) by omitting subsections one and two of section 105A and by inserting in lieu thereof the following subsections:—

(1) The opening and closing times for shops for the sale of motor spirit, motor oil or motor accessories shall, whether or not employees are employed therein—

- (a) on Saturdays, Sundays and public holidays, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

In this paragraph “public holidays” means the first day of January, the twenty-sixth day of January, Easter Monday, the anniversary of the birthday of Her Majesty, and the twenty-sixth day of December,

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*Factories and Shops (Amendment).*

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December, or any day observed as such in accordance with the provisions of the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, and any day appointed by the Governor pursuant thereto as a public holiday throughout the State;

- (b) on all other days, be six o'clock in the forenoon and half past eight o'clock in the afternoon respectively:

Provided that on the days observed as Christmas Day, Good Friday and Anzac Day such shops shall be kept closed;

- (c) in any part of the State or in any city, town, or district therein, in respect of which the Governor has, pursuant to the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, appointed a special day or special half-day to be observed as a public holiday, on such public holiday, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

In this section "motor accessories" includes spare parts for motor vehicles.

(2) Where after the commencement of the Factories and Shops (Amendment) Act, 1954, an award is made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, fixing the commencing and cessation of the ordinary hours of work by employees in shops for the sale of motor spirit, motor oil or motor accessories in any shopping district or area or part thereof, the

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*Factories and Shops (Amendment).*

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the opening and closing times for such shops in any such shopping district or area or part thereof, whether or not employees are employed therein, shall be the times so fixed respectively for the commencing and cessation of the ordinary hours of work by such employees under such award: Provided that nothing in this section contained shall operate so as to permit any shop for the sale of motor spirit, motor oil or motor accessories to be opened earlier than or closed later than the times prescribed by subsection one of this section as the opening and closing times respectively for such shop.

- (ii) by inserting at the end of the same section the following new subsection:—

(7) The provisions of any law, other than this Act and any award referred to in subsection two of this section, to the extent to which it prohibits the sale of motor spirit, motor oil or motor accessories between the opening and closing times fixed by or under this Act for shops for the sale of motor spirit, motor oil or motor accessories, shall, as from the commencement of the Factories and Shops (Amendment) Act, 1954, cease to be of any force or effect.

Sec. 107.  
(Matters to  
be dealt  
with in  
awards.)

- (e) (i) by inserting in section one hundred and seven after the words "other than shops" wherever occurring the words "for the sale of motor spirit, motor oil or motor accessories and shops";
- (ii) by omitting from the same section the words "or by employees in shops for the sale of motor spirit, motor oil, or motor accessories".

*In the name and on behalf of Her Majesty I assent to this Act.*

J. NORTHCOTT,  
Governor.

*Government House,  
Sydney, 8th December, 1954.*



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

H. ROBBINS,

*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 30 November, 1954.*

## New South Wales



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ELIZABETHÆ II REGINÆ

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Act No. , 1954.

An Act to make further provision in relation to shops for the sale of motor spirit, motor oil and motor accessories; for this purpose to amend the Factories and Shops Act, 1912-1950, and certain other Acts; and for purposes connected therewith.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Factories and Shops (Amendment) Act, 1954."

Short title  
and  
citation.

94227

80—

(2)

*Factories and Shops (Amendment).*

(2) The Factories and Shops Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Factories and Shops Act, 1912-1954.

**2.** The Factories and Shops Act, 1912-1950, is **Amendment of Act No. 39, 1912.**  
5 amended—

(a) by omitting from the heading to Division 5 of Part II the words “*in factories*”;

**Division 5,  
Part II.  
(Heading.)**

(b) by inserting at the end of section forty the following new subsection:—

**Sec. 40.  
(No child  
to be  
employed.)**

10 (2) No child shall, unless by special permission of the Minister, be employed in any shop in the sale of motor spirit or motor oil.

In this subsection “motor spirit” means any liquid or substance used or adapted or intended to be used for the propulsion of motor vehicles.

15 (c) by inserting at the end of section one hundred and five the following new subsection:—

**Sec. 105.  
(Closing  
times for  
certain  
shops.)**

20 (6) Nothing in this section shall apply to shops for the sale of motor spirit, motor oil or motor accessories.

(d) (i) by omitting subsections one and two of section 105A and by inserting in lieu thereof the following subsections:—

**Sec. 105A.  
(Closing  
and  
opening  
times of  
shops for  
the sale of  
motor spirit,  
etc.)**

25 (1) The opening and closing times for shops for the sale of motor spirit, motor oil or motor accessories shall, whether or not employees are employed therein—

30 (a) on Saturdays, Sundays and public holidays, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

35 In this paragraph “public holidays” means the first day of January, the twenty-sixth day of January, Easter Monday, the anniversary of the birthday of Her Majesty, and the twenty-sixth day of December,

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*Factories and Shops (Amendment).*

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5 December, or any day observed as such in accordance with the provisions of the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, and any day appointed by the Governor pursuant thereto as a public holiday throughout the State;

10 (b) on all other days, be six o'clock in the forenoon and half past eight o'clock in the afternoon respectively:

15 Provided that on the days observed as Christmas Day, Good Friday and Anzac Day such shops shall be kept closed;

20 (c) in any part of the State or in any city, town, or district therein, in respect of which the Governor has, pursuant to the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, appointed a special day or special half-day to be observed as a public holiday, on such public holiday, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

In this section "motor accessories" includes spare parts for motor vehicles.

30 (2) Where after the commencement of the Factories and Shops (Amendment) Act, 1954, an award is made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, fixing the commencing and cessation of the ordinary hours of work by employees in shops for the sale of motor spirit, motor oil or motor accessories in any shopping district or area or part thereof,  
35 the

*Factories and Shops (Amendment).*

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 in any such shopping district or area or  
 part thereof, whether or not employees are  
 employed therein, shall be the times so fixed  
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 tion of the ordinary hours of work by such  
 employees under such award: Provided  
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 10 operate so as to permit any shop for the  
 sale of motor spirit, motor oil or motor  
 accessories to be opened earlier than or  
 closed later than the times prescribed by  
 subsection one of this section as the opening  
 and closing times respectively for such  
 15 shop.

(ii) by inserting at the end of the same section  
 the following new subsection:—

20 (7) The provisions of any law, other than  
 this Act and any award referred to in sub-  
 section two of this section, to the extent to  
 which it prohibits the sale of motor spirit,  
 motor oil or motor accessories between the  
 opening and closing times fixed by or under  
 this Act for shops for the sale of motor  
 25 spirit, motor oil or motor accessories, shall,  
 as from the commencement of the Factories  
 and Shops (Amendment) Act, 1954, cease  
 to be of any force or effect.

30 (e) (i) by inserting in section one hundred and  
 seven after the words "other than shops" Sec. 107.  
 (Matters to  
 be dealt  
 with in  
 awards.)  
 wherever occurring the words "for the sale  
 of motor spirit, motor oil or motor access-  
 ories and shops";

35 (ii) by omitting from the same section the  
 words "or by employees in shops for the  
 sale of motor spirit, motor oil, or motor  
 accessories".

No. , 1954.

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## A BILL

To make further provision in relation to shops for the sale of motor spirit, motor oil and motor accessories; for this purpose to amend the Factories and Shops Act, 1912-1950, and certain other Acts; and for purposes connected therewith.

[Mr. LANDA;—9 November, 1954.]

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---

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Factories and Shops (Amendment) Act, 1954."

Short title  
and  
citation.

*Factories and Shops (Amendment).*

(2) The Factories and Shops Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Factories and Shops Act, 1912-1954.

2. The Factories and Shops Act, 1912-1950, is **Amendment of Act No. 39, 1912.**  
5 amended—

(a) by omitting from the heading to Division 5 of **Division 5, Part II.**  
Part II the words "*in factories*"; **(Heading.)**

(b) by inserting at the end of section forty the **Sec. 40.**  
following new subsection:— **(No child to be employed.)**

10 (2) No child shall, unless by special permission of the Minister, be employed in any shop in the sale of motor spirit or motor oil.

In this subsection "motor spirit" means any liquid or substance used or adapted or intended to be used for the propulsion of motor vehicles.

(c) by inserting at the end of section one hundred **Sec. 105.**  
and five the following new subsection:— **(Closing times for certain shops.)**

20 (6) Nothing in this section shall apply to shops for the sale of motor spirit, motor oil or motor accessories.

(d) (i) by omitting subsections one and two of **Sec. 105A.**  
section 105A and by inserting in lieu thereof **(Closing and opening times of shops for the sale of motor spirit, etc.)**  
the following subsections:—

25 (1) The opening and closing times for shops for the sale of motor spirit, motor oil or motor accessories shall, whether or not employees are employed therein—

30 (a) on Saturdays, Sundays and public holidays, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

35 In this paragraph "public holidays" means the first day of January, the twenty-sixth day of January, Easter Monday, the anniversary of the birthday of Her Majesty, and the twenty-sixth day of December,

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*Factories and Shops (Amendment).*

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December, or any day observed as such in accordance with the provisions of the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, and any day appointed by the Governor pursuant thereto as a public holiday throughout the State;

5

(b) on all other days, be six o'clock in the forenoon and half past eight o'clock in the afternoon respectively:

10

Provided that on the days observed as Christmas Day, Good Friday and Anzac Day such shops shall be kept closed.

15

(c) in any part of the State or in any city, town, or district therein, in respect of which the Governor has, pursuant to the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, appointed a special day or special half-day to be observed as a public holiday, on such public holiday, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

20

25

(2) Where after the commencement of the Factories and Shops (Amendment) Act, 1954, an award is made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, fixing the commencing and cessation of the ordinary hours of work by employees in shops for the sale of motor spirit, motor oil or motor accessories in any shopping district or area or part thereof, the opening and closing times for such shops in any such shopping district or area or part thereof, whether or not employees are employed therein, shall be the times so fixed respectively

30

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[189]

*Factories and Shops (Amendment).*

5 respectively for the commencing and cessa-  
 10 sion of the ordinary hours of work by such  
 employees under such award: Provided  
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(ii) by inserting at the end of the same section  
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 and Shops (Amendment) Act, 1954, cease  
 to be of any force or effect.

25 (e) (i) by inserting in section one hundred and  
 seven after the words "other than shops"  
 wherever occurring the words "for the sale  
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Sec. 107.  
 (Matters to  
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30 (ii) by omitting from the same section the  
 words "or by employees in shops for the  
 sale of motor spirit, motor oil, or motor  
 accessories".



## FACTORIES AND SHOPS (AMENDMENT) BILL, 1954.

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### EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to make provision extending the trading hours of shops for the sale of motor spirit, motor oil or motor accessories;
- (b) to prohibit the employment of children under the school leaving age in the sale of motor spirit and motor oil.

The power of industrial tribunals to fix by award trading hours more restricted than those prescribed by the Bill is retained.

1  
2  
3

No. , 1954.

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## A BILL

To make further provision in relation to shops for the sale of motor spirit, motor oil and motor accessories; for this purpose to amend the Factories and Shops Act, 1912-1950, and certain other Acts; and for purposes connected therewith.

[MR. LANDA:—9 November, 1954.]

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Factories and Shops (Amendment) Act, 1954."

Short title  
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*Factories and Shops (Amendment).*

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(2) The Factories and Shops Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Factories and Shops Act, 1912-1954.

2. The Factories and Shops Act, 1912-1950, is **Amendment of Act No. 39, 1912.**  
5 amended—

(a) by omitting from the heading to Division 5 of **Division 5, Part II.**  
Part II the words "*in factories*"; **(Heading.)**

(b) by inserting at the end of section forty the **Sec. 40.**  
following new subsection:— **(No child to be employed.)**

10 (2) No child shall, unless by special permission of the Minister, be employed in any shop in the sale of motor spirit or motor oil.

In this subsection "motor spirit" means any liquid or substance used or adapted or intended to be used for the propulsion of motor vehicles.

15 (c) by inserting at the end of section one hundred and five the following new subsection:— **Sec. 105. (Closing times for certain shops.)**

20 (6) Nothing in this section shall apply to shops for the sale of motor spirit, motor oil or motor accessories.

(d) (i) by omitting subsections one and two of **Sec. 105A.**  
section 105A and by inserting in lieu thereof **(Closing and opening times of shops for the sale of motor spirit, etc.)**  
the following subsections:—

25 (1) The opening and closing times for shops for the sale of motor spirit, motor oil or motor accessories shall, whether or not employees are employed therein—

30 (a) on Saturdays, Sundays and public holidays, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

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*Factories and Shops (Amendment).*

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- 15        Provided that on the days observed as Christmas Day, Good Friday and Anzac Day such shops shall be kept closed.
- 20 (c) in any part of the State or in any city, town, or district therein, in respect of which the Governor has, pursuant to the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, appointed a special day or special half-day to be observed as a public holiday, on such public holiday, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.
- 25
- 30 (2) Where after the commencement of the Factories and Shops (Amendment) Act, 1954, an award is made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, fixing the commencing and cessation of the ordinary hours of work by employees in shops for the sale of motor spirit, motor oil or motor accessories in any shopping district or area or part thereof,
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*Factories and Shops (Amendment).*

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## FACTORIES AND SHOPS (AMENDMENT) BILL, 1954.

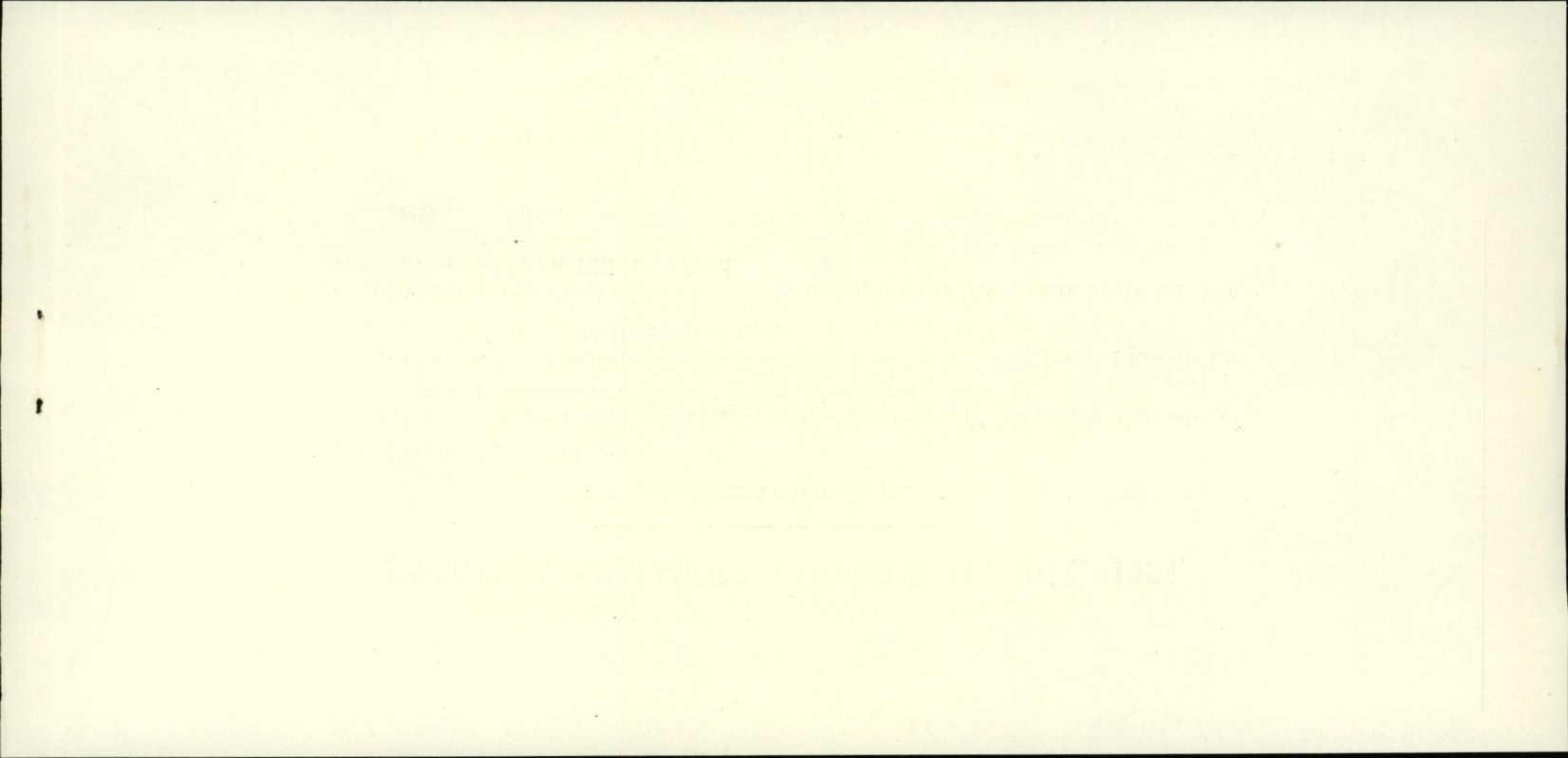
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### EXPLANATORY NOTE.

THE objects of this Bill are—

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No. , 1954.

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## A BILL

To make further provision in relation to shops for the sale of motor spirit, motor oil and motor accessories; for this purpose to amend the Factories and Shops Act, 1912-1950, and certain other Acts; and for purposes connected therewith.

[MR. LANDA:—9 November, 1954.]

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Factories and Shops (Amendment) Act, 1954."

Short title  
and  
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*Factories and Shops (Amendment).*

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(2) The Factories and Shops Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Factories and Shops Act, 1912-1954.

2. The Factories and Shops Act, 1912-1950, is **Amendment of Act No. 39, 1912.**  
5 amended—

(a) by omitting from the heading to Division 5 of **Division 5, Part II.**  
Part II the words "*in factories*"; **(Heading.)**

(b) by inserting at the end of section forty the **Sec. 40.**  
following new subsection:— **(No child to be employed.)**

10 (2) No child shall, unless by special permission of the Minister, be employed in any shop in the sale of motor spirit or motor oil.

In this subsection "motor spirit" means any liquid or substance used or adapted or intended to be used for the propulsion of motor vehicles.

(c) by inserting at the end of section one hundred **Sec. 105.**  
and five the following new subsection:— **(Closing times for certain shops.)**

20 (6) Nothing in this section shall apply to shops for the sale of motor spirit, motor oil or motor accessories.

(d) (i) by omitting subsections one and two of **Sec. 105A.**  
section 105A and by inserting in lieu thereof **(Closing and opening times of shops for the sale of motor spirit, etc.)**  
the following subsections:—

25 (1) The opening and closing times for shops for the sale of motor spirit, motor oil or motor accessories shall, whether or not employees are employed therein—

30 (a) on Saturdays, Sundays and public holidays, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

35 In this paragraph "public holidays" means the first day of January, the twenty-sixth day of January, Easter Monday, the anniversary of the birthday of Her Majesty, and the twenty-sixth day of December,

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5 December, or any day observed as such in accordance with the provisions of the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, and any day appointed by the Governor pursuant thereto as a public holiday throughout the State;

10 (b) on all other days, be six o'clock in the forenoon and half past eight o'clock in the afternoon respectively:

15 Provided that on the days observed as Christmas Day, Good Friday and Anzac Day such shops shall be kept closed.

20 (c) in any part of the State or in any city, town, or district therein, in respect of which the Governor has, pursuant to the Banks and Bank Holidays Act, 1912, as amended by subsequent Acts, appointed a special day or special half-day to be observed as a public holiday, on such public holiday, be seven o'clock in the forenoon and six o'clock in the afternoon respectively.

30 (2) Where after the commencement of the Factories and Shops (Amendment) Act, 1954, an award is made under the Industrial Arbitration Act, 1940, as amended by subsequent Acts, fixing the commencing and cessation of the ordinary hours of work by employees in shops for the sale of motor spirit, motor oil or motor accessories in any shopping district or area or part thereof,  
35 the opening and closing times for such shops in any such shopping district or area or part thereof, whether or not employees are employed therein, shall be the times so fixed respectively

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5 respectively for the commencing and cessa-  
tion of the ordinary hours of work by such  
employees under such award: Provided  
that nothing in this section contained shall  
operate so as to permit any shop for the  
10 sale of motor spirit, motor oil or motor  
accessories to be opened earlier than or  
closed later than the times prescribed by  
subsection one of this section as the opening  
and closing times respectively for such  
shop.

(ii) by inserting at the end of the same section  
the following new subsection:—

15 (7) The provisions of any law, other than  
this Act and any award referred to in sub-  
section two of this section, to the extent to  
which it prohibits the sale of motor spirit,  
motor oil or motor accessories between the  
20 opening and closing times fixed by or under  
this Act for shops for the sale of motor  
spirit, motor oil or motor accessories, shall,  
as from the commencement of the Factories  
and Shops (Amendment) Act, 1954, cease  
to be of any force or effect.

25 (e) (i) by inserting in section one hundred and  
seven after the words "other than shops" Sec. 107.  
be dealt  
with in  
awards.) wherever occurring the words "for the sale  
of motor spirit, motor oil or motor access-  
ories and shops";

30 (ii) by omitting from the same section the  
words "or by employees in shops for the  
sale of motor spirit, motor oil, or motor  
accessories".