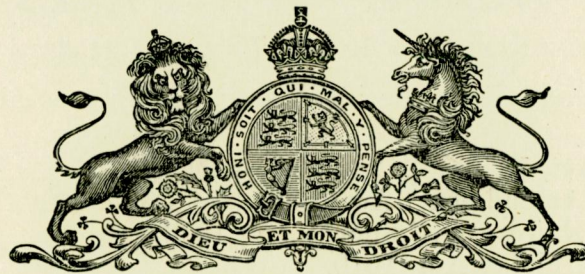


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, }
Sydney, 29 November, 1912. }

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



ANNO TERTIO
GEORGII V REGIS.

Act No. , 1912.

An Act for the consolidation and amendment of enactments relating to the early closing of shops, the providing for a Saturday half-holiday in shops, and the regulation of the hours of employment in or in connection with shops; to limit the hours of work in certain callings; and for purposes consequent thereon or incidental thereto.

BE it enacted by the King'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:—

5

PART I.

PRELIMINARY.

1. This Act may be cited as the "Early Closing Act, 1912," and is divided into Parts and Divisions, as under:—

Short title and
division of Act.

PART I.—PRELIMINARY—ss. 1-5.

71309

1—

PART

Early Closing.

PART II.—THE CLOSING OF SHOPS—*ss. 6-16.*

DIVISION 1.—*Non-scheduled shops—ss. 6-8.*

(a) *Metropolitan and Newcastle districts—s. 6.*

(b) *Country districts—ss. 7, 8.*

5 DIVISION 2.—*Shops mentioned in Schedule One—ss. 9-12.*

DIVISION 3.—*Shops mentioned in Schedule Two—ss. 13, 14.*

DIVISION 4.—*General provisions and penalties—ss. 15, 16.*

PART III.—SHOP-ASSISTANTS AND CARTERS.—*ss. 17-21.*

PART IV.—SUPPLEMENTAL AND EXEMPTIONS.—*ss. 22-33.*

10 **2.** The Acts hereinafter specified are hereby repealed, Repeals and savings.
namely :—

Early Closing Act, 1899.

Early Closing (Amendment) Act, 1900.

15 Early Closing (Hairdressers' Shops) Act, 1906.

Saturday Half Holiday Act, 1910.

Early Closing Amendment Act, 1910.

But such repeal shall not prejudice or affect the validity or duration of any license, permit, or authority lawfully granted, notice lawfully given, or poll duly taken under any such Act.

20 All rules and regulations made under the authority of any Act hereby repealed, and being in force at the passing of this Act, shall be and continue in force hereunder, and shall be deemed to have been made under the authority of this Act.

25 All persons appointed under the Acts hereby repealed and holding office at the time of the passing of this Act shall remain in office as if this Act had been in force at the time they were appointed and they had been appointed hereunder, and this Act shall apply to them accordingly.

30 **3.** (1) In this Act, unless the context otherwise requires,— Definitions.
“Close” means close to the admission of the public for purposes of trade.

“Employ” means employ in any way or in any kind of work.

35 “Metropolitan shopping district” or “metropolitan district” means area included in the city and municipalities mentioned in Schedule Three.

“Newcastle shopping district” or “Newcastle district” means area included in the municipalities mentioned in Schedule IV hereof.

40 “Non-scheduled shops” means shops other than those of classes or kinds mentioned or specified in Schedules One and Two.

“Proclamation” means proclamation published in the Gazette.
“Shop”

Early Closing.

5 “Shop” means place, building, stall, tent, vehicle, or boat, or pack in which goods are offered or exposed for sale, or in which the business of an auctioneer of goods, wares, or merchandise, hairdresser, pawnbroker, blacksmith, farrier, coachsmith, wheelwright, or undertaker is carried on.

10 “Shop-assistant” means person employed in or in connection with the sale of goods in a shop, not being a carter, and includes any clerk, storeman, or packer employed in a shop, or any person doing any work in connection with hairdressing business, or partner under the age of twenty-one years, but does not include any person who is employed by the shopkeeper only when the shop is closed.

15 “Shopkeeper” means person, partnership, or corporation occupying a shop, directly or indirectly, as principal, and includes hawkers, but does not include a commercial traveller bona fide engaged in selling goods to the trade by sample only: Provided that where a shopkeeper leases to any other person, or enters into an agreement by which any other person occupies his shop, or any part thereof, for a term or period less than one week, he shall, notwithstanding such lease or
20 agreement, continue to be shopkeeper of the shop.

“Week-day” means any day of the week except Sunday.

(2) The closing times mentioned in this Act are hours after the hour of noon. Within the municipality of Broken Hill, and
25 within the electoral district of Sturt, the time mentioned in this Act shall be taken to mean the mean time of the one hundred and thirty-fifth meridian of longitude east of Greenwich in England.

30 **4.** (1) Every municipality and also every country shopping district proclaimed under this Act or under any Act hereby repealed, and which is situate outside the Metropolitan shopping district and outside the Newcastle district, shall be a country shopping district.

(2) The Governor, by proclamation, may constitute any area to be a country shopping district.

35 **5.** The Governor, by proclamation, may alter the boundaries of any shopping district.

Early Closing.

PART II.

THE CLOSING OF SHOPS.

DIVISION 1.—*Non-scheduled shops.**(a) Metropolitan and Newcastle districts.*

- 5 **6.** The closing time for non-scheduled shops in the Metro-
 politan and Newcastle districts shall be—
 on Monday, Tuesday, Wednesday, and Thursday, six o'clock ;
 on Friday, nine o'clock ;
 on Saturday, one o'clock.
- Closing time for
non-scheduled shops,
Metropolitan and
Newcastle districts.

10 *(b) Country districts.*

- 7.** (1) The closing time for non-scheduled shops in every
 country shopping district (other than a district in which, at the
 commencement of this Act, the closing time on Saturday is one
 o'clock) shall be—
- 15 on Monday, Tuesday, Thursday, and Friday, six o'clock ;
 on Wednesday, one o'clock ;
 on Saturday, nine o'clock :

Provided that where the above closing time applies to such shops
 in any such district, it may be altered to the closing time fixed by the
 20 next following subsection.

- (2) The closing time in country shopping districts for
 non-scheduled shops for which, at the commencement of this Act, the
 closing time on Saturday is one o'clock, shall be—
- 25 on Monday, Tuesday, Wednesday, and Thursday, six o'clock ;
 on Friday, nine o'clock ;
 on Saturday, one o'clock :

Provided that where the above closing time applies to such
 shops in any such district, it may be altered to the closing time fixed
 by the last preceding subsection.

- 30 **8.** (1) The alteration of closing time under the last preceding
 section shall be made by the Governor by proclamation in the
 Gazette in pursuance of a poll taken, as hereinafter provided.

(2) Such poll may be taken as follows:—

- If, after the expiration of six months, from the time when
 35 this Act, or any Act repealed by it, has been applied to a country
 shopping district, a memorial in the form prescribed is presented
 to the Minister, signed by not less than one-third in number of the
 shopkeepers of non-scheduled shops in the district, the Minister shall
 notify in the Gazette and at least two issues of a newspaper circulating
 40 in the district, that on a day therein named (not being less than
 twenty, nor more than thirty days after the first notification) a poll will
 be taken under this subsection.

On

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On the day so named the poll shall be taken as prescribed, and at such poll in districts proclaimed as mining districts each shopkeeper and each shop assistant of a non-scheduled shop and in districts proclaimed as agricultural districts every elector on the State electoral roll in such district shall have one vote : Provided such shop assistant is of or over the age of eighteen years, and has for the previous three months been employed in a non-scheduled shop in the district.

If a majority of those voting at the poll vote in favour of such alteration of the closing time, the Minister shall so notify in the Gazette, and such alteration shall take effect forthwith.

(3) Where in a district a poll has been taken under this section, or under section three of the Act No. 81, 1900, hereby repealed, no poll shall in such district be taken under this section to reverse or amend the decision of the former poll within a period of two years thereafter.

DIVISION 2.—*Shops mentioned in Schedule One.*(a) *Butchers' shops.*

9. The closing time for butchers' shops shall be—

- (a) on Monday, Tuesday, Thursday, Friday, and Saturday, six o'clock ;
on Wednesday, one o'clock ; or
(b) on Monday, Tuesday, Wednesday, Thursday, and Friday, six o'clock ;
on Saturday, one o'clock ;
as the shopkeeper may choose.

Closing time for butchers' shops.

(b) *Poulterers', Hairdressers', and Tobacconists' shops.*

10. The closing time for poulterers', and hairdressers', and tobacconists' shops shall be—

- (a) on Monday, Tuesday, Thursday, and Friday, six o'clock for poulterers', and half-past seven o'clock for hairdressers' and eight o'clock for tobacconists' shops ;
on Wednesday, one o'clock ;
on Saturday, nine o'clock ; or
(b) on Monday, Tuesday, Wednesday and Thursday, six o'clock for poulterers', and half-past seven o'clock for hairdressers' and eight o'clock for tobacconists' shops ;
on Friday, nine o'clock ;
on Saturday, one o'clock,
as the shopkeeper may choose.

Closing time for poulterers', hairdressers', and tobacconists' shops.

(c) *General provisions.*

11. Where in any shopping district a shopkeeper occupies two or more shops of the same class or kind, being one of the classes or kinds mentioned in Schedule One, all such shops shall on each day close at the same time.

Shopkeeper occupying several shops.

12.

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12. Where under this Division a shopkeeper is authorised to choose which of two closing times shall apply to his shop, he shall choose by sending a notice to the person and in the form prescribed. Where shopkeeper may choose closing time.

Until he chooses as aforesaid, the closing time for his shop shall be that provided by this Act in which the closing time on Wednesday is one o'clock.

When he has made any such choice, he shall not make another choice until after the expiration of three months from the day when such former choice was made.

10 **DIVISION 3.—Shops mentioned in Schedule Two.**

13. Subject to the next following section, the closing time for shops mentioned in Schedule Two in any shopping district shall be— Closing time for shops mentioned Schedule Two.

(a) where the shop is mentioned in Part I of the Schedule—

on Saturday, nine o'clock ;

15 on other week-days, nine o'clock :

Provided that the hour of closing for florists' shops and cooked provision shops on Saturday night shall be eleven o'clock :

20 Provided that the closing time for newsagents' shops within the Metropolitan district shall be—

on Monday, Tuesday, Wednesday, and Thursday, eight o'clock ;

on Friday, nine o'clock ;

on Saturday, nine o'clock ; and

25 the closing time for chemists and druggists' shops, and public and private dispensaries, in the Metropolitan and Newcastle districts, shall, in every week, be—

on Monday, Tuesday, Wednesday, and Thursday, half-past seven o'clock ;

30 on Friday, nine o'clock ;

on Saturday, one o'clock ; or

on Monday, Tuesday, Thursday, and Friday, half-past seven o'clock ;

on Wednesday, one o'clock ;

35 on Saturday, nine o'clock ;

as the shopkeepers may choose, as provided for in the previous section.

(b) where the shop is mentioned in Part II of the Schedule—

on each week-day, eleven o'clock ;

40 (c) where the shop is mentioned in Part III of the Schedule—

on each week-day, twelve o'clock midnight.

14. (1) Where in a hairdressers' or tobacconists' shop or in a shop mentioned in Schedule Two, not being a public house, hotel, or wine Closing time for mixed shops.

Early Closing.

wine shop, there is carried on any class of trade not usually carried on in shops mentioned in such Schedule, the closing time of such shop shall, unless the Minister grants an exemption under this section, be the closing time for non-scheduled shops.

5 (2) Where in a shop mentioned in Part II or Part III of Schedule Two, not being a public house, hotel, or wine shop, there is carried on any class of trade usually carried on by a tobacconist's shop or by a shop mentioned in an earlier part of the said Schedule, the closing time of such shop shall, unless the Minister grants an exemption
10 under this section, be the closing time for a tobacconist's shop or for the shop mentioned in such earlier part of the said Schedule according to the class of the trade carried on therein.

(3) Provided that notwithstanding such exemption the time of employment in the shop of the shop assistants, who are usually
15 employed in the class of trade usually carried on in a shop not mentioned in Schedule Two, or in a shop mentioned in an earlier part of such Schedule, as the case may be, shall be the same as if such exemption had not been granted.

(4) The exemption may be granted by notification under
20 the hand of the Minister sent by post to the shopkeeper, and may be revoked at any time in like manner.

(5) No such exemption shall authorise the sale or offering for sale or exposure for sale of any goods the dealing in which would under Part II of this Act necessitate the closing of such shop.

25 (6) Provided further that no public house or wineshop shall sell or expose for sale any goods usually sold in tobacconists' shops after the closing time for such shops except single cigars or single packets of cigarettes sold at the bar of such hotel.

Any person who contravenes the provisions of this section shall
30 be guilty of an offence against this Act.

DIVISION 4.—General provisions and penalties.

15. (1) Where any shop in a shopping district, not being a shop mentioned in Schedule Two, is closed during the whole of—

a Where shop is closed on Good Friday or Christmas Day.

(a) Good Friday, or
35 (b) Christmas Day, when that day does not fall on a Sunday or Monday,

and the shop assistants are not employed therein during that day, the closing time of such shop on the week-day next preceding, shall be ten o'clock.

40 (2) Where Christmas Day falls on a Sunday or Monday, and the shop is closed during the whole of that day, and the shop assistants are not employed therein during any part of that day, the closing time of such shop on the Saturday preceding such Christmas Day, shall be ten o'clock :
Provided

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Provided that where in such case the usual closing time of such shop on Saturday is one o'clock—

- (a) the closing time on the Friday in the week next preceding that in which the Christmas Day falls, shall be six o'clock, or in the case of hairdressers' and tobacconists' shops, seven o'clock, and on the Wednesday, one o'clock ;
- (b) such shops shall also be closed during the whole of and the shop-assistants shall not be employed therein during any part of the Monday and Tuesday next following the twenty-fourth day of December.

Penalties.

16. (1) If any shop situate within any shopping district is not closed and kept closed for the remainder of the day at and after the closing time fixed, chosen, or deemed to be chosen, for such day in respect of such shop by or under this Act, or if in any such shop any goods are offered or exposed for sale after the said time, the shopkeeper of the shop and any person acting, or apparently acting, in the management of the shop, shall be guilty of an offence against this Act :

Penalty for not closing shop.

Provided that no such shopkeeper or person shall be guilty of the said offence by reason only that within one half-hour after the said closing time goods have been offered for sale or sold to a customer who, at the said closing time, was in the shop being served or waiting to be served :

Provided also that no registered pharmacist within the meaning of the Pharmacy Act, 1897, shall be guilty of the said offence by reason only that he has, after the said closing time, supplied any drug, patent or proprietary medicines, or surgical appliance that is shown to be urgently required either by a prescription so endorsed by a legally qualified medical practitioner or by a declaration to that effect in the prescribed form made by the applicant or purchaser.

(2) If in any hairdresser's shop any work is done for any customer after the closing time fixed, chosen, or deemed to be chosen for any day in respect of such shop, the shopkeeper of the shop, or any person acting, or apparently acting, in the management of the shop, shall be guilty of an offence against this Act :

Hairdressers' shop.

Provided that no such shopkeeper or person shall be guilty of the said offence by reason only that within one half-hour after the said closing time any work was done for a customer who at the closing time was in the shop being attended to, or waiting to be attended to.

(3) Provided that no person shall be convicted under this section for not closing or keeping closed a shop if he proves that the shop was not closed or not kept closed only for the purpose of ventilation

Saving.

Early Closing.

ventilation or of persons visiting or resorting to the premises for purposes other than for trade in the shop, or, in the case of a retail butcher, for the purpose of persons entering or leaving in connection with the delivery of meat to the shop of such butcher.

5

PART III.

SHOP-ASSISTANTS AND CARTERS.

Shop assistants.

17. (1) No shop assistant shall be employed in any non-scheduled shop, or any butcher's or poulterer's shop, or about the business of any such shop which is situate within any shopping district, for more than fifteen minutes after any closing time fixed, appointed, chosen, or deemed to be chosen in pursuance of this Act for such shop.

Time of employment
in non-scheduled, or
butcher's, or
poulterer's shop.

(2) Provided that the shopkeeper of any non-scheduled shop may employ any shop-assistant on any six week-days in any half year (not being days on which the shop closes at one or nine o'clock or any public or bank holiday allowed within the district as a holiday) for a period not exceeding three hours (exclusive of the hour to be allowed for refreshment under this section) after the closing hour on the said days; but during any such period the shop shall be closed and the assistants so employed shall be allowed by the shopkeeper one hour for refreshment, between the hours of five and seven o'clock in the afternoon.

Work after closing
hours.

There shall be kept by the shopkeeper a record of the extra hours worked under this section, and such record shall be exposed in some position visible and accessible to all his shop-assistants, shall bear the certificate of each such assistant as to its correctness as regards himself, and shall be produced to the inspector when demanded by him.

(3) Provided also that where a shop-assistant, employed in a non-scheduled shop, is allowed a holiday on full pay for the purposes of recreation during the whole of any day other than a bank holiday or day appointed within the portion of the district in which the shop is situated as a public holiday under the Banks and Bank Holidays Act, 1898, or day observed as a holiday for any religious purpose, as provided in section fourteen of this Act, the shopkeeper, for each day so allowed, may employ the assistant for a period not exceeding three hours (exclusive of the hour to be allowed for refreshment under this section) on one other day (not being a day on which the shop closes at one or nine o'clock, or a bank or public holiday as aforesaid) after the closing time on each such day, but after the said closing time the shop shall

Where holiday
allowed on full pay.

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shall be kept closed, and the assistant so employed shall be allowed by the shopkeeper one hour for refreshment between the hours of five and seven o'clock.

(4) If the shopkeeper of a shop, or any person acting, or apparently acting, in the management of the shop, employs any shop-assistant in breach of this section, or otherwise contravenes any provision of this section, he shall be guilty of an offence against this Act.

Employment in breach of section.

18. (1) No shop-assistant shall be employed in any shop mentioned in Schedule Two which is situate within any shopping district after the closing time fixed, chosen, or deemed to be chosen, in pursuance of this Act for such shop, nor for more than fifty-four hours in any week, exclusive of the hours allowed for refreshment. In hairdressers' or tobacconists' shops any customer who, at the said closing time, is in the shop being attended to, or waiting to be attended to, may be attended to by the shop-assistants within one half-hour after the said closing time.

Time of employment —shop mentioned in Schedule Two.

(2) All shop-assistants employed in any shop mentioned in Schedule Two shall be allowed a half-holiday from one o'clock in the afternoon on some one week-day of every week, except a week in which there is a public or bank holiday allowed to such assistants as a holiday :

Half-holiday.

Provided that in the case of shop-assistants employed in hotels, restaurants, or eating-houses, the half-holiday mentioned in this subsection may be allowed from two o'clock instead of from one o'clock.

(3) If the shopkeeper, or person acting, or apparently acting, in the management of the shop—

Breach of section.

(a) employs in his shop any shop-assistant in breach of this section; or
 (b) does not arrange for and allow to each such assistant the half-holiday, as required by this section to be allowed, he shall be guilty of an offence against this Act.

Carters and carriers.

19. Every baker or person acting or apparently acting in the management of the business of a baker in the Metropolitan and Newcastle districts shall give to every person engaged by him as a bread-carter, or acting for him in that capacity, two whole days as holidays on the first and third Wednesday in each month : Provided that in the event of any public holiday under the Bank and Bank Holidays Act, 1898, falling in the same week as the first or third Wednesday in any month, such whole-day holiday shall be observed on such public holiday, and not on the first or third Wednesday ; and if, in any month, he fails or refuses to allow any person so engaged or acting such whole holidays he shall be guilty of an offence against this Act.

Metropolitan and Newcastle districts. Holidays for bread-carters.

On

Early Closing.

On such first and third Wednesday in each month, or on such public holiday, as the case may be, no bread shall be delivered by cart to a customer by any person engaged by a baker in the Metropolitan shopping district except by permission of the Minister. If any person
5 contravenes the above provision he shall be guilty of an offence against this Act.

20. Every baker or person acting or apparently acting in the management of the business of a baker in a country shopping district, and every shopkeeper, butcher, or milkvendor, or person acting or
10 apparently acting in the management of such business whose place of business is situated in any shopping district, shall allow every person usually employed by him in delivering goods from the shop, or in delivering meat, milk, or bread, four half-holidays from the hour of two o'clock in the afternoon on some week-days in each month, or two
15 whole holidays on some week-days in each month of his employment. And if, in any month, he fails or refuses to allow any person so employed by him such half-holidays or such whole holidays, he shall be guilty of an offence against this Act.

Half-holidays for employees delivering goods for baker in country district or for shopkeepers in any district.

In any prosecution for a contravention of the provisions of this
20 section, proof that during any month any person used, for the purpose of delivering goods from a shop, or delivering meat, milk, or bread, a cart bearing the name or title of, or in any other way purporting to be the property of the defendant, shall be evidence that the said person during the said month was employed by the defendant in delivering
25 goods, meat, milk, or bread, as aforesaid.

21. No person shall in the Metropolitan or Newcastle shopping district cart or deliver by vehicle, or permit any other person
in his employment to cart or deliver by vehicle, any goods, wares, merchandise, or materials whatsoever, after half-past seven o'clock
30 in the evening, on any Monday, Tuesday, Wednesday, or Thursday, or after half-past nine o'clock in the evening on Friday, or after half-past one o'clock in the afternoon, on Saturday of any week :

Metropolitan and Newcastle districts. Time for delivery of goods by vehicle.

Provided that on the evening immediately preceding a public holiday, cartage or delivery may be continued until ten o'clock.

35 The restrictions contained in this section shall not apply to cab-drivers or to persons delivering parcels of laundry work bread and newspapers or milk or meat or other perishable articles of human food, or from the first day in November in any year, to the thirty-first day of March next following, to persons delivering aerated waters
40 or cordials or ice.

Early Closing.

PART IV.

SUPPLEMENTAL AND EXEMPTIONS.

Inspection.

22. The Governor may appoint members of the police force or Appointment of inspectors.
 5 other persons to be inspectors to carry out the provisions of this Act, and shall supply each inspector with a certificate of his appointment.

If any person personates or falsely pretends to be an inspector Penalty for personation.
 he shall be liable to a penalty not less than ten pounds and not exceeding fifty pounds.

10 **23.** An inspector, on producing the certificate of his appoint- Powers of inspectors.
 ment, may—

(a) enter at any reasonable hour any shop or any place which he has reason to believe is used as a shop;

15 (b) make such inquiries as he thinks necessary to ascertain whether the provisions of this Act have been complied with; and for that purpose ask questions of any shopkeeper or any person acting, or apparently acting, in the management of a shop, or employed in or about a shop, and require him to truthfully answer such questions; and

20 (c) exercise such powers as may be necessary for carrying out the provisions of this Act.

24. Any person who wilfully obstructs an inspector in the Obstruction of inspectors.
 exercise of any power conferred by this Act, or who fails to comply with a lawful requirement made by an inspector shall be guilty of an
 25 offence against this Act.

Penalties and prosecutions.

25. Any person who is guilty of an offence against this Act Penalty for offences.
 shall for the first offence be liable to a penalty not exceeding two pounds, and for any subsequent offence to a penalty not less than two
 30 pounds nor more than ten pounds.

26. Informations for offences against this Act or for breaches Limit of time for prosecutions.
 of any regulations shall be laid within one month from the committing of the offence or breach, and shall be heard and determined in a summary way by a court of petty sessions.

35 An appeal shall lie from any conviction for any such offence or breach.

27. In any prosecution of a shopkeeper or person acting, or Proof of employment in a shop.
 40 apparently acting, in the management of a shop for an offence against this Act, or any Act hereby repealed, proof that at any time a shop- assistant is in a shop shall be evidence that at the said time he was employed in the shop by such shopkeeper or person.

28.

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28. Where any act or default constituting an offence against this Act for which any shopkeeper or person acting, or apparently acting, in the management of a shop is by this Act liable to a penalty has in fact been done or committed by some other person, such other person shall be liable to the penalties imposed.

Where offence committed by some person other than the defendant.

Where such shopkeeper or person is charged with any such act or default so done or committed by some other person, the said shopkeeper or person shall be exempt from any penalty upon proving that he had supplied proper means and issued proper orders for the observance and used due diligence to enforce the observance of this Act, and that the said act or default was actually done or committed by some other person without his connivance.

Where an inspector is satisfied before instituting a proceeding for any such offence against the said shopkeeper or person that such shopkeeper or person if such proceedings were instituted against him would, under the foregoing provisions of this section, be exempt from any penalty, and the said shopkeeper or person gives all facilities in his power for proceeding against and convicting the person whom the inspector believes actually to have been guilty of the act or default constituting the offence, the inspector shall proceed against that person in the first instance without first proceeding against the said shopkeeper or person.

Regulations.

29. The Governor may at any time after the passing of this Act make regulations to take effect after the commencement of this Act—

Regulations by Governor.

- (a) providing for the making of lists and rolls of shopkeepers and shop assistants entitled to vote at a poll;
- (b) determining, where a partnership or corporation is a shopkeeper, the person by whom the vote of such partnership or corporation shall be given;
- (c) providing for the appointment and prescribing the duties of officers conducting or assisting at conducting the taking of polls;
- (d) providing for the manner in which polls shall be taken, and the conditions on which electors, shopkeepers, and shop assistants shall be entitled to vote at a poll;
- (e) providing for making returns of the result of any poll;
- (f) determining, in respect of any shop mentioned in Schedule Two to this Act, and a hairdresser's or tobacconist's shop, what classes of trade shall, for the purposes of this Act, be deemed to be classes of trade usually carried on in such shop, and thereupon such classes of trade, and no other classes of trade, shall be deemed to be the classes of trade usually carried on in such shop;
- (g)

Early Closing.

- (g) for the keeping of records and the giving of information by shopkeepers concerning the hours and extra hours of employment of and the holidays and half-holidays allowed to shop-assistants, and the giving of information by shopkeepers, butchers, milk vendors, and bakers concerning the holidays and half-holidays allowed persons employed in delivering goods from a shop, or meat, milk, or bread ;
- (h) prescribing the manner in which such records shall be kept and such information given, and the person to whom such information shall be given ;
- (i) providing for the certifying of the correctness of such records and information ;
- (j) prescribing the forms to be used for the purposes of this Act ; and
- (k) generally for carrying out the provisions of this Act in the above and in other matters ;

and may in those regulations authorise any penalty not exceeding five pounds to be imposed for any breach of the same.

All such regulations shall be published in the Gazette and shall be laid before both Houses of Parliament within fourteen days after such publication if Parliament is sitting, but if Parliament is not sitting then within fourteen days after the next meeting of Parliament.

Exemptions and savings.

30. In cases of emergency caused by fire, flood, or disease, the Minister may suspend the operation of such provisions of this Act as he deems necessary in respect of any persons, class of persons, or shops for such period within such locality, and under and subject to the performance of such conditions as he may prescribe, and alter or annul such notice.

Any person who contravenes or fails to comply with any condition prescribed under this section shall be guilty of an offence against this Act.

31. Except as to the provisions with regard to hours of employment and half-holidays contained in section eighteen, and the provisions of section fourteen hereof, nothing in this Act shall apply to railway, tramway, or ferry refreshment-rooms, railway, tramway, or ferry bookstalls, newspaper and newsagents shops, public-houses, and hotels.

32. Nothing in this Act shall apply to any bazaar or fair where goods are sold or exposed for sale in order that the net proceeds of the sale of the goods may be devoted to religious, charitable, or public purposes only.

33.

Early Closing.

33. Nothing in this Act shall affect the operation of the Saving. Second-hand Dealers and Collectors Act, 1906, or any Act amending the same.

SCHEDULES.

5

SCHEDULE ONE

Butchers' shops.
Poulterers' shops.
Hairdressers' shops.
Tobacconists' shops.

10

SCHEDULE TWO.

PART I.

15

Chemists' shops.
Druggists' shops.
Private dispensaries.
Public dispensaries.
Flower shops.
Cooked provisions shops.
Newspaper and newsagents' shops.

PART II.

20

Public-houses, hotels, and wine shops.
Undertakers' shops.
Fruit shops.
Vegetable shops.
Confectioners' shops.

25

PART III.

30

Restaurants.
Refreshment shops.
Eating-houses.
Fish shops.
Oyster shops.

Early Closing.

SCHEDULE THREE.

DESCRIPTION OF METROPOLITAN SHOPPING DISTRICT.

The City of Sydney, and the Municipalities of Alexandria, Annandale, Ashfield, Auburn, Balmain, Bankstown, Bexley, Botany, North Botany, Burwood, Canterbury, 5 Concord, Darlington, Drummoyne, Dundas, Eastwood, Enfield, Ermington and Rydalmere, Erskineville, The Glebe, Granville, Homebush, Hunter's Hill, Hurstville, Kogarah, Lane Cove, Leichhardt, Manly, Marrickville, Mosman, Newtown, North Sydney, Paddington, Parramatta, Petersham, Randwick, Redfern, Rockdale, Rookwood, Ryde St. Peters, Strathfield, Vacluse, Waterloo, Waverley, Willoughby, and Woollahra.

10

SCHEDULE FOUR.

DESCRIPTION OF NEWCASTLE SHOPPING DISTRICT.

The Municipalities of Newcastle, Adamstown, Carrington, Hamilton, Lambton, Merewether, New Lambton, Plattsburg, Stockton, Wallsend, Waratah, Wickham, East and West Maitland, Cessnock, and Kurri Kurri.