

Hawkers Circumstances for Exemption 2003

Disallowable Instrument DI 2003 —272

made under the

Hawkers Act 2003, Section 27 – Circumstances for exemption from section 14 (1)

1. I **DETERMINE** that the circumstances when a person may be exempted from the operation of section 14 (1) (Restriction on hawking near commercial premises) are listed below.
2. The person may be exempt: if they are selling products or services that are not sold by surrounding commercial premises; or if they are selling products at times when surrounding commercial premises are closed; or if proprietors of surrounding commercial premises, after consultation, have no objection.
3. The person must not be exempt if they have a significant adverse effect on: public safety; the free movement of people and vehicles; the accessibility of premises, including commercial premises; the accessibility of public amenities; and the appearance of amenity of the public place. The person must not be exempt if there are not adequate and appropriate public amenities (for example, rubbish bins and toilets) available near the location where the person intends to sell the products or services.
4. This Instrument commences on 27 September 2003.

Bill Wood
Minister for Urban Services
22 September 2003