

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

TRADING HOURS BILL 1996

EXPLANATORY MEMORANDUM

**Circulated by authority of
Tony De Domenico MLA
Minister for Industrial Relations**

Trading Hours Bill 1996

Outline

The Trading Hours Bill 1996 repeals the existing Trading Hours Act. It regulates the trading hours of large supermarkets only in Civic Centre and the Town Centres of Belconnen, Woden and Tuggeranong.

The Bill provides for the appointment of inspectors and for the exercise of inspectorial powers. Clarification is provided as regards the conduct of directors, servants or agents for the purposes of applying the provisions of the legislation.

Revenue/Cost Implications

A high level of compliance is expected. Accordingly the revenue and cost implications would be negligible.

Formal Clauses

Clauses 1 and 2 are formal requirements. They deal with the title of the Bill and its commencement.

Clause 3 repeals the previous legislation.

Clause 4 defines the key terms relevant to the application of the legislation.

Clause 5 empowers the Minister to declare that the provisions of the legislation do not apply in some part of the Territory.

Trading Hours of Large Supermarkets

Clause 6 empowers the Minister to specify the trading hours for large supermarkets in the Town Centres, and sets the opening hours to apply to those supermarkets in the absence of any Ministerial instrument to the contrary.

Clause 7 prohibits the large supermarkets in Town Centres from trading outside the specified trading hours.

Inspectors

Clause 8, 9, 10 and 11 provide for:

- the appointment of inspectors;
- the issue of identity cards to inspectors,
- powers of entry for inspectors; and
- the obligation on inspectors to produce their identity cards on request.

Miscellaneous

Clause 12 sets out certain matters to facilitate the application of the legislation, in identifying who might be responsible for the taking of certain actions and enabling an interpretation of their intentions (state of mind) in taking (or refusing to take) those actions.