



**SHOP TRADING HOURS AMENDMENT (SPECIFIC
EVENTS) ACT 1992**

No. 25 of 1992

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AN ACT to amend the *Shop Trading Hours Act 1984*

[Royal Assent 14 October 1992]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title

1—This Act may be cited as the *Shop Trading Hours Amendment (Specific Events) Act 1992*.

Commencement

2—This Act commences on the day on which it receives the Royal Assent.

Principal Act

3—In this Act, the *Shop Trading Hours Act 1984** is referred to as the Principal Act.

Section 5A amended (Special provisions for certain shops)

4—Section 5A of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:—

(1) Notwithstanding section 5, a shop to which that section applies which is located within the area of the city of Hobart bounded by Bathurst Street, Harrington Street, Macquarie Street and Argyle Street, or which has a frontage on any of those streets, may be kept open—

(a) between 8 a.m. and 6 p.m.; or

(b) for any period of time between 8 a.m. and 6 p.m.—

on 21 November 1992.

Section 5B inserted

5—After section 5A of the Principal Act, the following section is inserted:—

Minister may extend shop trading hours

5B—(1) The Minister may, by notice in the *Gazette*, declare—

(a) any day on which the cultural event known as the *Festivale* is to be held in the City of Launceston to be an extended shop trading day in that city; or

* No. 61 of 1984. Amended by No. 62 of 1984, No. 51 of 1985, No. 110 of 1986, Nos. 113 and 114 of 1987, No. 51 of 1988, No. 40 of 1989, Nos. 5, 24 and 44 of 1990, No. 29 of 1991 and Nos. 2 and 24 of 1992 and S.R. 1987, No. 167.

- (b) any day on which a cruise ship having a capacity to carry more than 500 passengers and visiting the State on less than 10 occasions in any year is scheduled by the owner or operator of that ship to be berthed at—
 - (i) a port in a particular city; or
 - (ii) a port in a municipality adjoining a particular city—
to be an extended shop trading day in that city and in any municipality adjoining that city; or
- (c) any day on which all or a majority of the vehicles entered in the motor-sports competition known as Targa Tasmania are scheduled by the organizers of that competition to be in a particular city to be an extended shop trading day in that city and in any municipality adjoining that city; or
- (d) the third or fourth Saturday immediately preceding Christmas day in any year, or both of those Saturdays, to be an extended shop trading day in the whole of the State.

(2) If a day declared by a notice under subsection (1) to be an extended shop trading day is—

- (a) a Saturday on which a shop to which section 5 applies is not otherwise permitted to be kept open after noon—the Minister may by the notice authorize any such shop in the city or municipalities to which the notice relates, or the State in the case of a notice under subsection (1) (d), to be kept open on that Saturday—
 - (i) between noon and 6 p.m.; or
 - (ii) during such hours between noon and 6 p.m. as are specified in the notice; or
- (b) a Saturday, or any other day, on which a shop to which section 5 applies is not otherwise permitted to be kept open—the Minister may by the notice authorize any such shop in the city or municipalities to which the notice relates, or the State in the case of a notice under subsection (1) (d), to be kept open on that day—
 - (i) between 8 a.m. and 6 p.m.; or

- (ii) during such hours between 8 a.m. and 6 p.m. as are specified in the notice; or
- (c) a Monday, Tuesday or Wednesday on which a shop to which section 5 applies is not otherwise permitted to be kept open after 6 p.m.—the Minister may by the notice authorize any such shop in the city or municipalities to which the notice relates to be kept open on that day—
 - (i) between 6 p.m. and 9 p.m.; or
 - (ii) during such hours between 6 p.m. and 9 p.m. as are specified in the notice.

(3) A notice under subsection (1) (a), (b) or (c) is to specify the event or occasion in respect of which the extension of shop trading hours is to apply.

(4) A notice under subsection (1) is of no effect unless it is published in the *Gazette* not less than 14 days before the day, or the first day, declared by the notice to be an extended shop trading day.

(5) The Minister may, by a notice under subsection (1), specify conditions to which the extension of shop trading hours is to be subject.

(6) A notice under subsection (1)—

- (a) is not a statutory rule within the meaning of the *Rules Publication Act 1953*; and
- (b) is not authority for a shop to be kept open at any time between or during the hours specified in the notice if any conditions specified in the notice are not complied with.