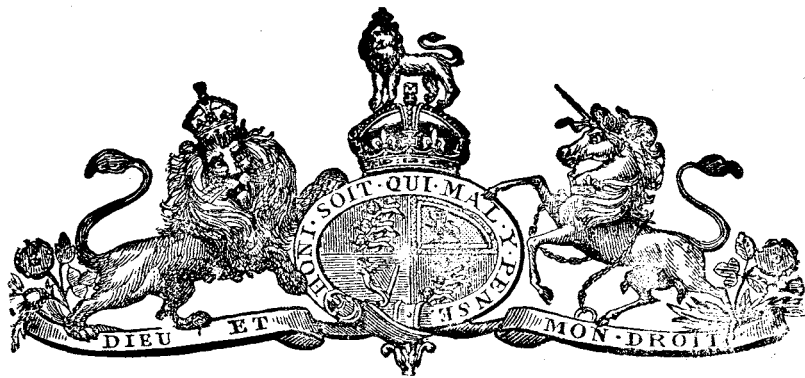


TASMANIA.



1913.

ANNO QUARTO

GEORGI V. REGIS.

No 52.

ANALYSIS.

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| <ol style="list-style-type: none"> 1. Short title and incorporation. 2. Amendment of Section 2 of the Principal Act as to "small shops." 3. Amendment of Section 12 of the Principal Act. 4. Repeal and re-enactment of Section 13 of the Principal Act. 5. Repeal and re-enactment of Section 15 of the Principal Act. | <ol style="list-style-type: none"> 6. Amendment of Section 11 of the Principal Act. 7. Amendment of Section 14 of the Principal Act. 8. Repeal of Sections 16 and 17, and re-enactment of Section 17 of the Principal Act. 9. Amendment of Section 19 of the Principal Act. 10. Municipal council may change day for half-holiday by resolution. |
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AN ACT to amend "The Shops Closing Act, 1911." A.D. 1913.
[24 December, 1913.]

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 :—

1 This Act may be cited as "The Shops Closing Act, 1913," and is hereby incorporated with, and shall be read as one with, "The Shops Closing Act, 1911," in this Act referred to as the Principal Act. Short title and incorporation with 2 Geo. V. No. 21.

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Amendment of
Section 2 of the
Principal Act as
to "small shops."

2 Section Two of the Principal Act is hereby amended by omitting the definition "small shops," and substituting therefor the following—

" 'Small shops' means those shops which would, except for the provisions of this Act dealing therewith, be required to close under the general provisions thereof, and wherein no paid assistant is engaged or employed, and the shopkeeper whereof is annually registered as hereinafter provided."

Amendment of
Section 12 of the
Principal Act.

3 Section Twelve of the Principal Act is hereby amended by striking out the word "and" after the words "fruit shop" in the Fifth line, and adding after the words "vegetable shop" in the Fifth line the words "and newspaper agents for the purpose of selling newspapers, books, postcards, postage stamps, revenue stamps, and stationery, where no person other than the proprietor or any immediate member of his family not receiving payment is engaged or employed in such shops during the statutory closing hours."

Repeal and
re-enactment of
Section 13 of the
Principal Act.

4 Section Thirteen of the Principal Act is hereby repealed, and the following section substituted therefor :—

"**13**—(1) Hairdressers' shops shall close on Four week days in each week at Seven o'clock p.m., on One week day at Ten o'clock p.m., and on the half-holiday at One o'clock p.m. Such half-holiday shall be observed on either Wednesday or Saturday, at the individual option of each.

"(2) Chemists and druggists, including friendly societies' dispensaries, shall be permitted to supply medicines or necessities in urgent cases during the statutory closing hours: Provided that Sections Three and Eleven of this Act shall not apply to friendly societies' dispensaries which supply medicines only, prescribed by a medical practitioner, and such medicines to no other than members thereof, or to chemists and druggists, between the hours of Seven and Eight o'clock p.m. on the statutory half-holiday, on any public holiday on which such shops are closed during the day, and on Sundays.

"(3) Butchers' shops in Hobart and Launceston, and the suburbs thereof, shall close on Mondays, Tuesdays, Wednesdays, and Thursdays at Five o'clock p.m., on Fridays at Ten o'clock p.m., and on Saturdays at One o'clock p.m.; and Saturday shall be the statutory half-holiday for such shops.

"(4) Any shopkeeper making default in compliance with the provisions of this section shall be guilty of an offence against this Act."

Repeal and re-
enactment of
Section 15 of the
Principal Act,

5 Section Fifteen of the Principal Act is hereby repealed, and the following substituted therefor :—

"**15**—(1) Small shops shall be registered annually by the Chief Inspector of Factories in the prescribed manner.

"(2) The shopkeeper of every small shop shall be registered annually by the Chief Inspector of Factories in the prescribed manner, and a

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notification of such registration shall be placed and kept conspicuously visible in his shop. A.D. 1913.

“(3) The registration of a shop as a small shop and of the shopkeeper thereof may be allowed in cases of widows, old people, cripples, or any other shop or shopkeeper at the discretion of the Chief Inspector of Factories, and shops in any rural district where the Chief Inspector of Factories is of opinion that no unfair competition will take place by the registration of such shops, and in cases of great hardship, and shall be at the absolute discretion of the Chief Inspector of Factories.

“(4) In relation to small shops the term ‘shopkeeper’ shall not include the manager of a shop.

“(5) No firm containing Two or more partners shall be registered as a small shop.

“(6) No small shop shall remain open later than Nine o’clock p.m., except on such days as all shops are allowed to remain open to a later hour.”

6 Section Eleven of the Principal Act is hereby amended by inserting after the word “weekdays” in the Second line, the words “in each week,” and inserting after the word “half-holiday” in the Third line, the words “and shall be kept closed for the remainder of the day and until Six o’clock a.m. on the weekday next following.”

Amendment of
Section 11 of the
Principal Act.

7 Subsection (2) of Section Fourteen of the Principal Act is hereby amended by inserting the following words at the end thereof, namely:—
“All such goods shall be substantially screened from public view during such hours, and any person failing or omitting to comply with this provision shall be deemed to be guilty of an offence against this Act.”

Amendment of
Section 14 of the
Principal Act.

8 Sections Sixteen and Seventeen of the Principal Act are hereby repealed, and the following section substituted for Section Seventeen:—

Repeal of Sections
16 and 17 and
re-enactment of
Section 17 of the
Principal Act.

“**17** Shop assistants may be employed during the statutory closing hours as provided under this Act for the purpose of collecting accounts, canvassing for orders, or for any purpose in or about a shop, and for any such employment shall be paid at the rate of not less than time and a quarter, calculated on the amount of salary then being received by such assistants, provided that no such overtime shall be paid at less than Sixpence per hour.

“Any person making default in the observance of any provision of this section shall be deemed to be guilty of an offence against this Act.”

9 Section Nineteen of the Principal Act is hereby amended by omitting the words “of or above the rank of sergeant.”

Amendment of
Section 19 of the
Principal Act.

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Municipal council
may change day
for half-holiday
by resolution.

10—(1) The council of any municipality may by special resolution in and for any specified part of such municipality change the compulsory half-holiday for shops in such specified part (except exempted shops) to another week-day named in the resolution.

(2) A copy of any resolution, verified as required by the Minister, shall be forwarded to the Minister, who shall cause the same to be gazetted if he finds it in order.

(3) The change made by the special resolution shall come into force and the said specified part of the shop district shall be deemed to be and is hereby constituted a shop district under this Act, from and after a date to be declared by the Minister by a notice in the "Gazette," and in One daily newspaper circulating in the shop district; and the change so notified shall continue in force until a further change (if any) shall be made after a poll taken under this Act. Such date shall not be earlier than Fourteen days from the date of the publication of the "Gazette" containing such notice.

(4) Except as to diminution of its area, a shop district shall remain unaffected by the constitution of another district.