

1989

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY

TRADING HOURS (AMENDMENT) BILL 1989

EXPLANATORY MEMORANDUM

Circulated by the authority of Mrs Nolan

The *Trading Hours Act 1962* (the Principal Act) regulates the hours during which shops may trade. Subsection 7(3) creates the offence of selling goods at a shop at a time when such a sale is prohibited. Subsection 7(2) prescribes the times when the sale of goods at a shop is prohibited. By virtue of paragraph 7(2)(g), such a sale is prohibited after noon on a Saturday.

The *Trading Hours (Amendment) Bill 1989* amends the Principal Act in effect to permit trading until 5.00 pm on a Saturday. The Bill also makes a consequential amendment relating to the defence available to a person charged with selling goods after normal trading hours on a Saturday if those goods had been offered at auction.

The details of the Bill appear in the attachment.

Issued with the
authority of
Mrs Nolan

ATTACHMENT

Clause 1 cites the short title of the proposed Act.

Clause 2 provides that the Principal Act referred to is the Trading Hours Act 1962.

Clause 3 amends section 7 of the Principal Act by omitting from paragraph (2) (g) "noon" and substituting "5 o'clock in the afternoon" so that a prohibition would apply only after that time.

Clause 4 amends section 8 of the Principal Act by omitting from subsection (2) "noon" and substituting "5 o'clock in the afternoon". Thus in a prosecution for selling between 5 pm and 6 pm on a Saturday it will continue to be a defence that the goods had been offered at auction.

Printed by Authority by the Commonwealth Government Printer