



## SHOP TRADING HOURS AMENDMENT ACT 1984

No. 62 of 1984

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

**[Royal Assent 10 October 1984]**

**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 *Shop Trading Hours Amendment Act 1984*. Short title.

Commence-  
ment.

**2**—(1) Except as provided in subsection (2), this Act shall commence on the day on which it receives the royal assent.

(2) Sections 4 (1) and 6 shall commence on the day fixed by proclamation under section 2 (2) of the *Industrial Relations Act* 1984.

Principal Act.

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

Amendment of  
section 3 of  
Principal Act  
(Interpre-  
tation).

**4**—(1) Section 3 of the Principal Act is amended by omitting the definition of “inspector” and substituting the following definition:—

“inspector” means an inspector within the meaning of the *Industrial Relations Act* 1984;

(2) Section 3 of the Principal Act is further amended by omitting the definition of “shop” and substituting the following definition:—

“shop” means a building, part of a building, or place, or other premises, in or at which a business of selling goods by retail is carried on;

Insertion in  
Principal Act  
of new  
section 3A.

**5**—After section 3 of the Principal Act, the following section is inserted:—

Non-application  
of Act.

**3A**—(1) This Act does not apply to any regatta, race meeting, sports meeting, agricultural, pastoral, or horticultural society’s show, bazaar, fete, fair, market, or trade exhibition in or at which persons occupy or have the use of barrows, stalls, tables, or other subdivisions from or at which goods are sold, or exposed or offered for sale, by retail.

(2) This Act does not apply to the sale of motor vehicles, to the offering or exposing for sale of motor vehicles, or to the sale of replacement parts required for essential repairs to motor vehicles.

(3) This Act does not apply to—

(a) premises at which an auction is conducted by the holder of an auctioneer’s licence under the *Auctioneers and Estate Agents Act* 1959 and which are used principally for the conduct of such an auction;

- (b) premises in respect of which a general licence or an on licence is in force under the *Licensing Act 1976*;
- (c) premises in respect of which an off licence is in force under the *Licensing Act 1976* and in or at which the only or principal kinds of goods sold, or exposed or offered for sale, are liquor or liquor and soft drinks;
- (d) premises in or at which the only or principal business carried on is that of providing meals or cooked food, with or without the accompaniment of any beverage, either being meals or cooked food that are ready for immediate consumption either on the premises or elsewhere;
- (e) a service station within the meaning of the *Service Stations (Trading Hours) Act 1975* and which is used principally for the sale of petroleum products, and motor accessories, within the meaning of that Act; or
- (f) premises in respect of which a licence granted under section 8 of the *Hairdressers' Registration Act 1975* is in force and which are used principally for carrying on the business of a hairdresser pursuant to that licence.

**6**—Section 6 (5) of the Principal Act is amended by omitting “section 54 of the *Industrial Relations Act 1975*” and substituting “section 75 of the *Industrial Relations Act 1984*”.

Amendment of section 6 of Principal Act (Occupier of shop to keep record of employees).

**7**—Section 7 of the Principal Act is amended as follows:—

- (a) by inserting in subsections (1), (2), (3), and (4) “, or other premises” after “place”, wherever occurring;
- (b) by inserting in subsection (6) “, or other premises” after “place”, where firstly occurring;
- (c) by inserting in that subsection “or those other premises” after “place”, where secondly occurring.

Amendment of section 7 of Principal Act (Powers of inspectors).

**8**—Section 9 (1) of the Principal Act is amended by inserting “, or other premises” after “place”.

Amendment of section 9 of Principal Act (Procedure and evidence in respect of offences).

