

Western Australia

Retail Trading Hours Amendment Act 2010

As at 01 Oct 2010

No. 38 of 2010

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Retail Trading Hours Amendment Act 2010

No. 38 of 2010

An Act to amend the *Retail Trading Hours Act 1987*.

[Assented to 1 October 2010]

The Parliament of Western Australia enacts as follows:

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1. Short title

This is the *Retail Trading Hours Amendment Act 2010*.

2. Commencement

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on a day fixed by proclamation.

3. Act amended

This Act amends the *Retail Trading Hours Act 1987*.

4. Section 12 amended

(1) In section 12(1):

- (a) after “retail shop” (second occurrence) insert:

that is not in the metropolitan area

- (b) after each of paragraphs (a) to (c) insert:

and

(2) In section 12(2):

- (a) in paragraph (a) delete “special trading precinct or”;
- (b) delete paragraph (b) and “or” after it;
- (c) after paragraph (a) insert:

or

- (3) After section 12(2) insert:
- (3) Subject to this Act and any order made under section 12E(1) that affects the trading hours of a general retail shop, a general retail shop in the metropolitan area shall be closed —
- (a) on Monday, Tuesday, Wednesday, Thursday and Friday in each week, until 8 a.m. and from and after 9 p.m.; and
 - (b) on Saturday in each week, until 8 a.m. and from and after 5 p.m.; and
 - (c) on Sunday in each week; and
 - (d) on each public holiday and public half-holiday.
- (4) Subsection (3) does not apply to —
- (a) a general retail shop in a special trading precinct or holiday resort, as defined in section 12A(4); or
 - (b) a general retail shop to which an order under section 12A applies by the operation of subsection (3) of that section; or
 - (c) a motor vehicle shop.

5. Section 12E amended

- (1) In section 12E(1)(a) delete “section 12(1),” insert:
- section 12(1) or (3),
- (2) Delete section 12E(2) and insert:
- (2) An order varying the trading hours of general retail shops in the metropolitan area (other than an order

under section 12A) can have effect only in relation to a day or days within the period of 28 days ending on 1 January.

6. Section 14A amended

In section 14A(1) delete “section 12(1),” and insert:

section 12(1) if the filling station is not in the metropolitan area or section 12(3) if the filling station is in the metropolitan area,

7. Section 14C amended

In section 14C(4)(a) delete “section 12(1);” and insert:

section 12(1) if the filling station is not in the metropolitan area or section 12(3) if the filling station is in the metropolitan area; or

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