

CN303

RETAIL TRADING HOURS ACT 1987
RETAIL TRADING HOURS AMENDMENT REGULATIONS 1992
Made by His Excellency the Governor in Executive Council.

Citation

- 1. These regulations may be cited as the Retail Trading Hours Amendment Regulations 1992.

Commencement

- 2. These regulations shall come into operation on 1 February 1992.

Schedule amended

- 3. The Schedule to the Retail Trading Hours Regulations 1988* is amended by deleting Forms 1, 2 and 3 and substituting the following forms—

Form 1
Western Australia
RETAIL TRADING HOURS ACT 1987
SMALL RETAIL SHOP
APPLICATION FOR CERTIFICATE BY SOLE TRADER
1. I,
of
hereby apply for a certificate under section 10 (3) (c) of the Retail Trading Hours Act 1987.
2. This application is made in relation to the retail shop trading under the name of (name of shop) situated at (address)
3. The only goods or services sold or provided at the retail shop referred to in paragraph 2 above are the goods and services prescribed under the Act for the purposes of sale at a small retail shop.
4. I am the only person who owns and operates the retail shop referred to in paragraph 2 above.
5. The retail shop referred to in paragraph 2 above is operated for the benefit of myself/and members of my family.

THIS SECTION MUST BE FULLY COMPLETED—

- (a) Does the applicant alone or together with any other person, own or operate any retail shop other than the retail shop referred to in paragraph 2 above?
(b) Is there any agreement between the applicant and any other person (other than—
(i) the landlord of the retail shop or;
(ii) a person holding a security over the premises of the retail shop or the goods or services sold or provided at the retail shop), under which that other person has a power either by an express or implied term on termination of the agreement or at any other time to—
(iii) enter the retail shop personally or by a nominee to operate the retail shop;
or
(iv) assign the right to operate the retail shop?
(c) Are you personally and actively engaged in the operation of the retail shop and for approximately how many hours weekly?
(d) What is the maximum number of persons (including yourself) that work in the retail shop at any one and the same time?

Dated 19

..... Signed Name and address of witness

Notes: When completing this form strike out whichever does not apply.

Form 2
 Western Australia
 RETAIL TRADING HOURS ACT 1987
 SMALL RETAIL SHOP
 APPLICATION FOR CERTIFICATE BY A PARTNERSHIP

1. We
 of (“the applicants”)
 hereby apply for certificate under section 10 (3) (c) of the *Retail Trading Hours Act 1987*.
2. This application is made in relation to the retail shop trading under the name of (name of shop) situated at (address)
3. The only goods or services sold or provided at the retail shop referred to in paragraph 2 above are the goods and services prescribed under the Act for the purposes of sale at a small retail shop.
4. The applicants are the only persons who own and operate the retail shop referred to in paragraph 2 above.
5. The retail shop referred to in paragraph 2 above is operated for the benefit of the applicants/and members of the families of the applicants.

THIS SECTION MUST BE FULLY COMPLETED—

- (a) Do the applicants together own or operate any retail shop other than the retail shop referred to in paragraph 2 above?
- (b) Does any one of the applicants own or operate a retail shop other than the retail shop referred to in paragraph 2 above either alone or together with any other person who is not an applicant in this application?
- (c) Is there any agreement between the applicants or any one of them and any other person (other than—
 - (i) the landlord of the retail shop; or
 - (ii) a person holding a security over the premises of the retail shop or the goods or services sold or provided at the retail shop),
 under which that other person has a power, either by an express or implied term, on termination of the agreement or at any other time to—
 - (iii) enter the retail shop personally or by a nominee to operate the retail shop; or
 - (iv) assign the right to operate the retail shop?
- (d) Are the applicants actively engaged in the operation of the retail shop?
- (Please answer this question in relation to each applicant).
- (e) How many hours in each week are the applicants engaged in operating the retail shop referred to in paragraph 2 above?
- (Please answer this question in relation to each applicant).
- (f) What is the total number of persons (including the applicants) engaged in operating the retail shop at any one and the same time?

Dated 19

.....
 Signed Name and address of witness

(To be signed by each applicant).

Form 3
 Western Australia
 RETAIL TRADING HOURS ACT 1987
 APPLICATION FOR CERTIFICATE BY BODY CORPORATE

1.
 (name of body corporate)
 the registered office of which in Western Australia is situated at
 hereby applies for a certificate under section 10 (3) (c) of the *Retail Trading Hours Act 1987*.

- 2. This application is made in relation to the retail shop trading under the name of (name of shop) situated at (address)
- 3. The only goods or services sold or provided at the retail shop referred to in paragraph 2 above are the goods and services prescribed under the Act for the purposes of sale at a small retail shop.
- 4. The names of the natural persons who are shareholders of the body corporate ("the members") are as follows—

Names	Addresses
.....
.....

- 5. The names of the persons having the management and control of the body corporate are as follows—

Names	Residential address	Occupation	Other Directorship or Trusteeship
.....
.....
.....
.....

- 6. The members are the only persons who own and operate the retail shop referred to in paragraph 2 above.
- 7. The members own and operate the retail shop referred to in paragraph 2 above for the benefit of themselves/and their families.

THIS SECTION MUST BE FULLY COMPLETED—

- (a) Does the applicant, alone or together with any other person, own or operate any retail shop other than the retail shop referred to in paragraph 2 above?
- (b) Does any person who is a member, director or employee of the applicant body corporate own or operate a retail shop together with any other person who is not a member of the applicant body corporate.
- (c) Is there any agreement between the applicant or any member of the applicant body corporate and any other person (other than—
 - (i) the landlord of the retail shop; or
 - (ii) a person holding a security over the premises of the retail shop or the goods or services sold or provided at the retail shop), under which that other person has a power, either express or implied, on termination of the agreement or at any other time to—
 - (iii) enter the retail shop personally or by an agent to operate the retail shop; or
 - (iv) assign the right to operate the retail shop?
- (d) Are the members of the applicant body corporate actively engaged in the operation of the retail shop referred to in paragraph 2?
- (e) How many hours in each week are the members of the applicant body corporate engaged in operating the retail shop referred to in paragraph 2?
- (Please answer this question in relation to each member).
- (f) What is the maximum number of persons (including the members of the body corporate) engaged in operating the retail shop at any one and the same time?

Dated 19

..... Signed Name and address of witness
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(To be signed by each member of the body corporate).

[*Published in the Gazette of 12 August 1988. For amendments to 23 December 1991 see 1990 Index to Legislation of Western Australia, p. 348 and Government Gazette 25 October 1991 p. 5449-50.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.