

## FACTORIES AND SHOPS (No. 2).

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No. 50 of 1970.

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AN ACT to amend the Factories and Shops Act,  
1963-1965.

[Assented to 8th October, 1970.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Factories and Shops Act Amendment Act (No. 2), 1970.*

Short title  
and citation.

(2) In this Act the Factories and Shops Act, 1963-1965, is referred to as the principal Act.

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(3) The principal Act as amended by this Act may be cited as the Factories and Shops Act, 1963-1970.

Approved for  
reprint 23rd  
May, 1969.

Amendment  
to s. 5.  
(Interpreta-  
tion.)

2. Section 5 of the principal Act is amended by adding after the word "place", being the last word in the interpretation "shop", the words "and also includes any place where goods are kept or stored for sale by retail to the public".

Amendment  
to s. 27.  
(Duration of  
registra-  
tion.)

3. Section 27 of the principal Act is amended—

- (a) by adding after the section number "27." the subsection designation "(1)";
- (b) by substituting for the words beginning with the word "next", in line seven, and ending with the word "December", in line eight, the passage "day on which it is, in accordance with subsection (2) of this section, expressed to expire"; and
- (c) by adding at the end thereof a subsection as follows—

(2) A registration referred to in subsection (1) of this section or renewal thereof shall be expressed to expire on a day not less than six months or more than eighteen months after the day it commences. .

Addition of  
s. 27A.

4. The principal Act is amended by adding after section 27 a section as follows—

Fees for  
certain regi-  
strations.

27A. The fee payable on a registration or renewal thereof that is, in accordance with subsection (2) of section twenty-seven, expressed to expire on a day other than the day twelve months after it commences shall be the amount which bears to the prescribed fee the same ratio as the period between the day on which it is expressed to commence and the day on which it is expressed to expire bears to a period of twelve months. .

Repeal and  
re-enactment  
of s. 28.

5. Section 28 of the principal Act is repealed and re-enacted as follows—

Renewal of  
registration.

28. An application for renewal of the registration of a place as a factory, shop or warehouse

may be made at any time within the period of one month immediately preceding the day on which the registration would expire unless renewed. .

6. The principal Act is amended by adding after section 91 a section as follows—

Addition of s. 91A.

91A. (1) Subject to subsection (2) of this section the shopkeeper of a shop where motor vehicles are offered or exposed, or kept or stored, for sale by retail to the public shall keep the shop closed on the days and hours provided in section eighty-five.

Closing hours of motor vehicle shops.

(2) A shop to which subsection (1) of this section refers may, for the purpose of selling motor vehicles only, be opened on Wednesday between six o'clock in the afternoon and ten o'clock in the afternoon unless the day is a whole holiday referred to in section fifty-nine.

7. Subsection (3) of section 92 of the principal Act is amended by deleting paragraph (b) and substituting the following paragraphs—

Amendment to s. 92. (Trading hours for sale of motor vehicle requisites.)

(b) The shopkeeper of a shop, irrespective of whether it is in a zone prescribed under subsection (4) of this section or not, shall not, at any time during which any shop referred to in section eighty-five is required to be kept closed, sell or allow to be sold at his shop any article that is not—

(i) a requisite; or

(ii) of a class of article which strictly forms part of the business of any of the exempted shops specified in subsection (1) of section eighty-six.

(c) The provisions of paragraph (b) of this subsection do not limit or otherwise affect the provisions of section ninety-one A. .