



Queensland

# **Trading (Allowable Hours) Amendment Act 2017**

**Act No. 26 of 2017**

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**An Act to amend the Trading (Allowable Hours) Act 1990 for particular purposes**

**[Assented to 31 August 2017]**





Queensland

# Trading (Allowable Hours) Amendment Act 2017

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**The Parliament of Queensland enacts—**

**1 Short title**

This Act may be cited as the *Trading (Allowable Hours) Amendment Act 2017*.

**2 Act amended**

This Act amends the *Trading (Allowable Hours) Act 1990*.

**3 Amendment of s 3 (Objects of Act)**

Section 3(a), ‘shops, other than exempt shops,’—  
*omit, insert—*

non-exempt shops and independent retail shops

**4 Amendment of s 5 (Exempt shops)**

(1) Section 5(1) and (2)—

*omit, insert—*

(1) An *exempt shop* is—

- (a) a shop of a description mentioned in schedule 1AA used predominantly for selling goods by retail, or for supplying services, a reasonable person would expect to be sold or supplied in that shop; or
- (b) an independent retail shop; or
- (c) a shop operating in a stated area for an event—
  - (i) that is a unique or infrequent event of local, State or national significance; and

*Examples—*

- the 2018 Commonwealth Games
  - the Weipa Fishing Classic event
- (ii) declared by the industrial commission to be a special event for this paragraph.
- (2) A declaration for subsection (1)(c)—
- (a) may be made by the industrial commission on an application by an organisation, chief executive, local government or any other person; and
  - (b) must state the following—
    - (i) details of the event the subject of the declaration;
    - (ii) the period for which the declaration applies;
    - (iii) the area to which the declaration applies; and
  - (c) must be published on the QIRC website.
- (2A) In deciding whether to declare an event to be a special event for subsection (1)(c), the industrial commission—
- (a) must consider—
    - (i) the cultural, religious or sporting significance of the event; and
    - (ii) the significance of the event to the economy and the tourism industry; and
  - (b) may consider a submission made by a local government for an area in which the declaration is likely to have an impact.
- (2) Section 5(3), ‘subsection (2)’—
- omit, insert—*
- schedule 1AA, item 23
- (3) Section 5(2A) to (4)—



*renumber* as section 5(3) to (5).

## **5 Amendment of s 6 (Independent retail shops)**

(1) Section 6(1)(b), ‘20’—

*omit, insert—*

30

(2) Section 6(1)(c), ‘60’—

*omit, insert—*

100

(3) Section 6(2)(a), after ‘shop’—

*insert—*

mentioned in section 5(1)(a) or (c)

## **6 Insertion of new pt 4, div 1, hdg**

Part 4, before section 16—

*insert—*

### **Division 1**

### **Application of part**

## **7 Insertion of new pt 4, div 2**

After section 16—

*insert—*

### **Division 2**

### **Non-exempt shops**

### **Subdivision 1 Preliminary**

#### **16A Definitions for division**

In this division—

*2017 trading hours order* means the order titled

‘Trading Hours—Non-exempt Shops Trading by Retail—State’ made by the industrial commission under section 21 on 27 November 1992, as it was in effect immediately before the commencement of the *Trading (Allowable Hours) Amendment Act 2017*.

*Notes—*

- 1 The 2017 trading hours order was repealed on the commencement of the *Trading (Allowable Hours) Amendment Act 2017*—see section 57.
- 2 The 2017 trading hours order can be viewed on the QIRC website—see section 46A.

***closed day*** means any of the following days—

- (a) Good Friday;
- (b) Anzac Day (25 April);
- (c) Labour Day (the first Monday in May);
- (d) Christmas Day (25 December).

***hardware shop*** means a shop the business of which is, wholly or partly, the supply of—

- (a) construction materials, tools, fittings and other appropriate products and equipment to—
  - (i) builders, associated tradespeople, contractors or sub-contractors engaged in the building industry; or
  - (ii) the general public; or
- (b) similar products appropriate for home improvement purposes to the general public.

***south-east Queensland area*** means the South-East Queensland Area within the meaning of the 2017 trading hours order, but does not include a tourist area.

***tourist area*** means—

- 
- (a) any of the following areas under the 2017 trading hours order—
    - (i) Area of New Farm of Inner City of Brisbane;
    - (ii) Gold Coast Coastal Tourist Area;
    - (iii) Hamilton North Shore Area;
    - (iv) The Cairns CBD Area;
    - (v) The Great Barrier Reef Wonderland Tourist Complex; or
  - (b) the town of Port Douglas; or
  - (c) the Pacific Fair Shopping Centre located at Broadbeach Waters on the corner of Hooker Boulevard and Sunshine Boulevard.

*Note—*

See, however, section 56.

### **16B Shops to be closed other than during permitted trading hours**

- (1) A non-exempt shop must be closed on a particular day other than during—
  - (a) the shop's core trading hours under subdivision 2 for the day or, if applicable, the extended trading hours under subdivision 3; or
  - (b) if an order made by the industrial commission under section 21 prescribes trading hours for the shop for the day—the prescribed trading hours for the day.

*Note—*

Under section 21(2), the industrial commission can not permit trading on a closed day or, for a day other than a closed day, decide trading hours that are shorter than the hours under subdivision 2 or 3.

- (2) The occupier of a non-exempt shop must ensure

[s 7]

subsection (1) is complied with for the shop.

Maximum penalty—40 penalty units.

## Subdivision 2 Core trading hours

### 16C Application of subdivision

- (1) This subdivision applies subject to subdivision 3, to the extent subdivision 3 provides for an earlier opening time, or a later closing time, on a particular day for a non-exempt shop.
- (2) However, if subdivision 3 applies to a non-exempt shop, the shop's closing time for 24 December is the closing time provided for under subdivision 3.

### 16D Shops other than hardware shops and shops selling motor vehicles or caravans

- (1) This section applies to a non-exempt shop, other than—
  - (a) a hardware shop; and
  - (b) a shop engaged in selling motor vehicles or caravans.
- (2) The shop's core trading hours are—

Day	Opening time	Closing time
<b>In the south-east Queensland area</b>		
Monday to Friday	7a.m.	9p.m.
Saturday	7a.m.	9p.m.
Sunday and public holidays, other than closed days	9a.m.	6p.m.
<b>In a tourist area</b>		

<b>Day</b>	<b>Opening time</b>	<b>Closing time</b>
Monday to Friday	6a.m.	10p.m.
Saturday	7a.m.	10p.m.
Sunday and public holidays, other than closed days	7a.m.	9p.m.
<b>In a schedule 1AB area</b>		
Monday to Friday	(a) if the shop is in the Townsville Tourist Area— 7a.m.  (b) otherwise—8a.m.	9p.m.
Saturday	8a.m.	6p.m.
Sunday and public holidays, other than closed days	9a.m.	6p.m.
<b>In a seaside resort</b>		
Monday to Friday	8a.m.	9p.m.
Saturday	8a.m.	6p.m.
Sunday	n/a	n/a
Public holidays, other than closed days	9a.m.	6p.m.
<b>In any other area</b>		
Monday to Friday	8a.m.	9p.m.
Saturday	8a.m.	6p.m.
Sunday and public holidays, other than closed days	n/a	n/a

(3) In this section—

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*n/a* means the shop is not permitted to open.

*schedule 1AB area* means an area, within the meaning of the 2017 trading hours order, mentioned in schedule 1AB.

*seaside resort* means a Tourist and/or Seaside Resort within the meaning of the 2017 trading hours order.

### 16E Hardware shops

- (1) This section applies to a non-exempt shop that is a hardware shop.
- (2) The shop's core trading hours are—

Day	Opening time	Closing time
<b>In the south-east Queensland area</b>		
Monday to Friday	6a.m.	9p.m.
Saturday	6a.m.	9p.m.
Sunday and public holidays, other than closed days	6a.m.	6p.m.
<b>In a tourist area</b>		
Monday to Friday	6a.m.	10p.m.
Saturday	6a.m.	10p.m.
Sunday and public holidays, other than closed days	6a.m.	9p.m.
<b>In any other area</b>		
Monday to Friday	6a.m.	9p.m.
Saturday	6a.m.	6p.m.

Day	Opening time	Closing time
Sunday and public holidays, other than closed days	6a.m.	6p.m.

### 16EA Shops selling motor vehicles or caravans

- (1) This section applies to a non-exempt shop engaged in selling motor vehicles or caravans.
- (2) The shop's core trading hours are—

Day	Opening time	Closing time
<b>If the shop sells motor vehicles but not caravans</b>		
Monday to Friday	8a.m.	9p.m.
Saturday	8a.m.	(a) if the shop is in a prescribed area—6p.m. (b) otherwise—5p.m.
Sunday	n/a	n/a
Public holidays, other than closed days	(a) if the shop is in a prescribed area—8a.m. (b) otherwise—n/a	(a) if the shop is in a prescribed area—6p.m. (b) otherwise—n/a
<b>If the shop sells both caravans and motor vehicles</b>		
Monday to Friday	8a.m.	9p.m.
Saturday	8a.m.	5p.m.
Sunday and public holidays, other than closed days	n/a	n/a
<b>If the shop sells caravans but not motor vehicles</b>		
Monday to Friday	8a.m.	9p.m.

[s 7]

Day	Opening time	Closing time
Saturday	8a.m.	6p.m.
Sunday and public holidays, other than closed days	n/a	n/a

(3) In this section—

*n/a* means the shop is not permitted to open.

*prescribed area* means any of the following areas within the meaning of the repealed car yards order—

- (a) The Gold Coast Area;
- (b) Redcliffe Peninsula;
- (c) City of Brisbane Area;
- (d) City of Logan Area;
- (e) Town of Beenleigh Area;
- (f) Near North Coast Area;
- (g) Shire of Pine Rivers Area;
- (h) Redland Shire Area;
- (i) City of Ipswich.

*repealed car yards order* means the order titled ‘Trading Hours—Non-exempt Shops Selling Motor Vehicles—State’ made by the industrial commission under section 21 on 8 December 1989, as it was in effect immediately before the commencement of the *Trading (Allowable Hours) Amendment Act 2017*.

*Notes—*

- 1 The repealed car yards order was repealed on the commencement of the *Trading (Allowable Hours) Amendment Act 2017*—see section 57.
- 2 The repealed car yards order can be viewed on the QIRC website—see section 46A.



## Subdivision 3 Extended trading hours

### 16EB Application of subdivision

This subdivision does not apply to a non-exempt shop engaged in selling motor vehicles or caravans.

### 16F Christmas trading hours—general

- (1) The extended trading hours for a non-exempt shop for Christmas are—

Day	Opening time	Closing time
the 3 Sundays before 18 December	8a.m.	6p.m.
18 to 23 December	the shop's opening time under subdivision 2	midnight
24 December	the shop's opening time under subdivision 2	6p.m.

- (2) This section does not apply to a non-exempt shop for a particular day if section 16G applies to the shop for that day.
- (3) If a non-exempt shop is not permitted to trade on a Sunday, a reference in subsection (1) to the shop's opening time under subdivision 2 is, if the day in question is a Sunday, taken to be a reference to 9a.m.

### 16G 24-hour Christmas trading for particular shops

- (1) This section applies to a shop in—
- (a) the Westfield Chermside shopping complex; or
  - (b) the Westfield Garden City shopping complex.

[s 8]

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- (2) The shop's extended trading hours for 23 and 24 December are—

Day	Opening time	Closing time
23 December	8a.m.	midnight
24 December	12a.m.	6p.m

- (3) In this section—

*Westfield Chermside shopping complex* means the shopping complex located on the corner of Gympie Road and Hamilton Road, Chermside, Brisbane.

*Westfield Garden City shopping complex* means the shopping complex located on the corner of Logan Road and Kessels Road, Upper Mount Gravatt, Brisbane.

**8 Insertion of new pt 4, div 3, hdg**

After section 16G, as inserted by section 7—

*insert—*

**Division 3 Independent retail shops**

**9 Insertion of new pt 4, div 4, hdg**

After section 17—

*insert—*

**Division 4 Other provisions**

**10 Amendment of s 19 (Closure of non-exempt shops not to confer advantage)**

Section 19(2)(b), 'or independent retail shop'—

*omit.*

**11 Insertion of new s 20A**

Part 4—

*insert*—

**20A Allowable trading hours for Retail Shop Leases Act 1994**

For the south-east Queensland area, the permissible trading hours on a Sunday or public holiday are not allowable trading hours for the definition *core trading hours* in the *Retail Shop Leases Act 1994*, section 51.

**12 Amendment of pt 5, hdg (Orders concerning non-exempt shops and special exhibitions)**

Part 5, heading, ‘and special exhibitions’—

*omit*.

**13 Amendment of s 21 (Trading hours orders on non-exempt shops)**

Section 21(2)—

*omit, insert*—

- (2) However, the industrial commission must not decide trading hours for non-exempt shops for a particular day that—
  - (a) for a closed day—permit trading on the closed day; or
  - (b) for another day—are shorter than the trading hours under part 4, division 2, subdivision 2 or 3 for the shops for that day.

**14 Omission of s 22 (Approval of special exhibitions)**

Section 22—

*omit*.

**15 Amendment of s 23 (Powers and procedures relevant to proceedings under ss 21 and 22)**

(1) Section 23, heading, ‘ss 21 and 22’—

*omit, insert—*

**s 21**

(2) Section 23(1)—

*omit, insert—*

(1) The industrial commission may make an order under section 21—

(a) of its own motion; or

(b) on an application made by or for an industrial organisation, another organisation or a local government.

(3) Section 23(2) and (3), ‘or 22’—

*omit.*

(4) Section 23(3), ‘other persons, and other organisations’—

*omit, insert—*

other organisations and local governments

(5) Section 23(4), ‘other person, or other organisation’—

*omit, insert—*

another organisation or a local government

**16 Amendment of s 23A (Reference to full bench)**

Section 23A(1), ‘or 22’—

*omit.*

**17 Amendment of s 24 (Industrial commission hearings)**

Section 24, ‘or 22’—

*omit.*

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**18 Amendment of s 25 (Leave may be granted by industrial commission)**

- (1) Section 25(3), ‘other person, or other organisation’—  
*omit, insert*—  
another organisation or a local government
- (2) Section 25(3), ‘or 22(1)’—  
*omit.*

**19 Amendment of s 26 (Matters relevant to s 21 order)**

- (1) Section 26—  
*insert*—  
(ga) the likely impact of the order on employees;
- (2) Section 26(ga) to (i)—  
*renumber* as section 26(h) to (j).

**20 Amendment of s 27 (Summary dismissal of application)**

- (1) Section 27, ‘other persons, or other organisations’—  
*omit, insert*—  
other organisations or local governments
- (2) Section 27, ‘or 22(1)’—  
*omit.*

**21 Omission of ss 28 and 29**

Sections 28 and 29—  
*omit.*

**22 Amendment, relocation and renumbering of s 30 (Injunction to enforce observance of trading hours)**

- (1) Section 30(1)(b), ‘other person, or other organisation,’—

*omit, insert—*

another organisation or a local government

- (2) Section 30(1)(c), after ‘compliance with’—

*insert—*

the trading hours provided for under part 4,  
division 2 or

- (3) Section 30(1)(d), after ‘breach of’—

*insert—*

the trading hours provided for under part 4,  
division 2 or

- (4) Section 30—

*relocate* and *renumber* as section 36C.

**23 Amendment of s 31 (Cancellation of obsolete orders)**

Section 31(2), ‘other person, or other organisation’—

*omit, insert—*

another organisation or a local government

**24 Omission of pts 5A and 5B**

Parts 5A and 5B—

*omit.*

**25 Amendment of s 33 (Anzac Day a holiday for all employees)**

- (1) Section 33(2)(f)—

*omit.*

- (2) Section 33(2)(g) to (i)—

*renumber* as section 33(2)(f) to (h).

**26 Amendment of s 36 (Closure of other places)**

Section 36(2), ‘(i)’—

*omit, insert—*

(h)

**27 Amendment of s 36A (Protection for current employees)**

(1) Section 36A, heading, ‘current employees’—

*omit, insert—*

**employees—extended hours under Trading  
(Allowable Hours) Amendment Act 2002**

(2) Section 36A(3), definitions *closed day* and *permissible trading hours*—

*omit.*

(3) Section 36A(3)—

*insert—*

***permissible trading hours*** means the permissible trading hours under—

(a) while the trading hours order was in effect—the order; or

(b) from the commencement of the *Trading (Allowable Hours) Amendment Act 2017*—section 16B.

***trading hours order*** has the meaning given by section 31B as in force from time to time before its repeal.

**27A Amendment of s 36AA (Protection for employees—Liquor and Other Legislation Amendment Act 2017)**

Section 36AA(4), definition *south-east Queensland area*—

*omit.*

## 28 Insertion of new s 36B

After section 36AA—

*insert—*

### **36B Protection for employees—extended hours under Trading (Allowable Hours) Amendment Act 2017**

- (1) An employer must not require an employee to work during extended hours unless the employee has freely elected to work during extended hours.

Maximum penalty—

- (a) for a first offence—16 penalty units; or
- (b) for a second or later offence—20 penalty units.
- (2) However, subsection (1) does not apply in relation to an employee if an industrial instrument provides arrangements under which the employee may refuse or agree to work during extended hours.
- (3) For subsection (1), an employee has not freely elected to work during extended hours—
- (a) if the employee elects to work during extended hours because the employee has been coerced, harassed, threatened or intimidated by or for the employer; or
- (b) only because the employee is rostered, or required under an industrial instrument, to work during those hours.
- (4) In this section—

*elect* means agree in writing for a stated or indefinite period.

*employer* means an employer of an employee in a non-exempt shop.

*extended hours* means the permitted trading hours under this Act for a non-exempt shop on



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any day (other than a closed day), but only to the extent the hours are greater than the shop's permitted trading hours immediately before the commencement.

***industrial instrument*** means any of the following within the meaning of the *Industrial Relations Act 2016*—

- (a) a modern award, bargaining award or certified agreement;
- (b) a federal industrial instrument.

**29 Amendment of s 46 (Evidentiary provisions)**

Section 46(g), after 'decision'—

*insert*—

, declaration

**30 Insertion of new pt 7A, hdg and new ss 46A and 46B**

After section 46—

*insert*—

**Part 7A                      Miscellaneous provisions**

**46A Publication of particular repealed orders**

The industrial registrar must ensure the following orders are published on the QIRC website—

- (a) the 2017 trading hours order;
- (b) the repealed car yards order within the meaning of section 16EA.

**46B Review of Act**

- (1) The Minister must review the effectiveness of this

[s 31]

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Act within 5 years from the commencement.

- (1A) The review must be finished before the end of the moratorium period under part 8, division 6.
- (2) As soon as practicable after finishing the review, the Minister must table a report about its outcome in the Legislative Assembly.

### 31 Insertion of new pt 8, div 6

Part 8—

*insert—*

## **Division 6                      Transitional provisions for Trading (Allowable Hours) Amendment Act 2017**

### 55 Definitions for division

In this division—

***amendment Act*** means the *Trading (Allowable Hours) Amendment Act 2017*.

***former***, in relation to a provision of this Act, means the provision as in force before its amendment or repeal by the amendment Act.

***introduction*** means the introduction into the Legislative Assembly of the Bill for the amendment Act.

***moratorium period*** means the period starting on the introduction and ending 5 years after the day of the commencement.

***prescribed s 16D shop*** means a non-exempt shop—

- (a) to which section 16D applies; and
- (b) that is not permitted under that section to open on Sunday and public holidays.

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## **56 Shops in Mossman and Port Douglas Tourist Area**

- (1) This section applies to a shop in the Mossman and Port Douglas Tourist Area.
- (2) For the period starting on the commencement and ending 5 years after the day of the commencement—
  - (a) if the shop is a non-exempt shop—the shop is taken to be an exempt shop; or
  - (b) if the shop is an independent retail shop—section 17 does not apply to the shop.
- (3) This section applies despite any other provision of this Act.
- (4) In this section—

*Mossman and Port Douglas Tourist Area* has the meaning given by the 2017 trading hours order.

## **57 Repeal of existing orders**

On the commencement, the following orders are repealed—

- (a) an order made by the industrial commission under former section 21 or 22 that was in effect immediately before the commencement;
- (b) an order made by the industrial commission before the commencement under former section 21 or 22 that, immediately before the commencement, had not yet taken effect.

## **59 Moratorium on trading hours orders and restriction on making applications**

- (1) During the moratorium period—

- (a) the industrial commission must not make an order under section 21, other than an order made on an application dealt with under section 60(2); and
  - (b) an industrial organisation, another organisation or a local government must not make an application for an order under section 21.
- (2) An application for an order under section 21 made or purportedly made during the moratorium period is of no effect.

## **60 Existing applications for orders under former s 21**

- (1) This section applies to an application for an order under former section 21 that was made, but not decided, before the introduction.
- (2) If the application relates only to prescribed s 16D shops, the industrial commission may, if it considers it appropriate and with the consent of the applicant, deal with the application as if it were an application for an order under section 21 prescribing the following trading hours for the shops for Sundays and public holidays (other than closed days)—
  - (a) opening time—9a.m.;
  - (b) closing time—6p.m.
- (3) If the industrial commission does not deal with the application under subsection (2), the industrial commission must dismiss the application.
- (4) Subsection (3) applies despite part 5.

## **61 Existing appeals against decisions on applications for orders under former s 21**

- (1) This section applies to an appeal—

- 
- (a) against a decision made, before the commencement, by the industrial commission on an application for an order under former section 21; and
  - (b) that was started, but not decided by the industrial court, before the commencement.
- (2) If the decision was to make an order under former section 21, the proceeding for the appeal ends on the commencement.

*Note—*

An order made under former section 21 before the commencement was repealed on the commencement—see section 57.

- (3) Subsections (4) and (5) apply if—
- (a) the decision was to refuse to make an order under former section 21; and
  - (b) on the commencement, all of the shops to which the order would have applied if it had been made are prescribed s 16D shops; and
  - (c) the industrial court decides to allow the appeal, set aside the decision of the industrial commission and substitute another decision.
- (4) The only decision that may be substituted by the industrial court is a decision to make an order under section 21 prescribing the following trading hours for the shops for Sundays and public holidays (other than closed days)—
- (a) opening time—9a.m.;
  - (b) closing time—6p.m.
- (5) Subsection (4)—
- (a) applies despite—
    - (i) the *Industrial Relations Act 2016*, section 558(1)(b); or

- (ii) if the repealed *Industrial Relations Act 1999* continues to apply to the appeal proceeding—section 341(3)(b) of that Act; and

*Note—*

See the *Industrial Relations Act 2016*, section 1023 for the continued application of the repealed Act in relation to particular proceedings.

- (b) does not otherwise limit the industrial court's power to dismiss or allow the appeal.
- (6) The appeal proceeding ends on the commencement if—
- (a) the decision mentioned in subsection (1) was to refuse to make an order under former section 21; and
  - (b) on the commencement, any of the shops to which the order would have applied if it had been made are not prescribed s 16D shops.

## **62 Restriction on starting appeal if decision made before commencement**

From the commencement, a person can not start an appeal against any of the following decisions made by the industrial commission before the commencement—

- (a) a decision to make an order under former section 21;
- (b) a decision to refuse to make an order under former section 21, other than an order that, if it had been made, would have prescribed the following trading hours for prescribed s 16D shops for Sundays and public holidays (other than closed days)—
  - (i) opening time—9a.m.;
  - (ii) closing time—6p.m.

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## 62A Particular orders required to be approved by regulation

- (1) This section applies to an order made under section 21 during the moratorium period in accordance with this division.

*Example—*

an order made by the commission on an application mentioned in section 60(2)

- (2) The order does not take effect until it is approved by regulation.
- (3) The order takes effect—
  - (a) on the day the regulation is notified; or
  - (b) if the regulation states a later day—the later day.
- (4) This section applies despite section 21.

## 63 Applications and appeals relating to orders under former s 22

- (1) On the commencement—
  - (a) a section 22 application that was not decided before the commencement is taken to have been withdrawn; and
  - (b) an appeal that was started, but not decided, before the commencement against a decision of the industrial commission on a section 22 application ends.
- (2) From the commencement, a person cannot start an appeal against a decision of the industrial commission on a section 22 application.
- (3) In this section—

*section 22 application* means an application made before the commencement for an order under former section 22.

## 32 Insertion of new schs 1AA and 1AB

Before schedule 1—

*insert—*

### **Schedule 1AA Exempt shops**

section 5

- 1 antique shop
- 2 art gallery or arts and crafts shop
- 3 aquarium, aquarium accessories or pet shop
- 4 bait and tackle or marine shop
- 5 bookseller's or newsagent's shop
- 6 bread, cake or pastry shop
- 7 butcher's shop
- 8 camping equipment shop
- 9 chemist shop
- 10 confectionery shop or ice-cream parlour
- 11 cooked provisions shop (where the provisions are cooked or heated on the premises immediately before sale), milk bar, restaurant, cafe or refreshment shop
- 12 delicatessen
- 13 fish shop
- 14 flower shop
- 15 fruit and vegetable shop
- 16 funeral director's premises
- 17 hairdresser's, beautician's or barber's shop
- 18 licensed premises under the *Liquor Act 1992* or the *Wine Industry Act 1994*



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- 19 nursery (plant) shop for selling garden plants and shrubs, seeds, garden and landscaping supplies or equipment, and associated products
- 20 photographic shop
- 21 premises in relation to which a pawnbrokers licence under the *Second-hand Dealers and Pawnbrokers Act 2003* is in force
- 22 service station
- 23 subject to section 5(4), shop of a class declared by regulation to be a class of exempt shop
- 24 shop for selling motor vehicle spare parts or motorcycle spare parts, or both
- 25 shop in an international airport terminal, cruise terminal, casino, or tourist resort on an off-shore island
- 26 soap shop
- 27 souvenir shop
- 28 special exhibition or display of goods
- Examples—*
- an annual 3-day caravan, camping and fishing expo
  - a one-off launch of a new model of campervans held at a shopping centre
- 29 sporting goods shop
- 30 tobacconist's shop
- 31 toy shop
- 32 veterinary supplies shop

## Schedule 1A Areas for s 16D

section 16D

- 2 Cairns Tourist Area
- 3 Townsville Tourist Area
- 4 Mossman and Port Douglas Tourist Area
- 5 Whitsunday Shire Tourist Area
- 6 Fraser Coast Area
- 7 Townsville and Thuringowa Area  
(excluding the Townsville Tourist Area)
- 8 The Yeppoon Tourist Area
- 9 The Moranbah Area
- 10 The Cooloola Cove Area
- 11 The City of Rockhampton Area
- 12 The City of Toowoomba Area
- 13 The Mackay Area
- 14 The Innisfail Area
- 15 The Emerald Area
- 16 The Tablelands Area
- 17 The Gladstone Area
- 18 Bundaberg Area (which includes Elliott  
Heads, Bundaberg and Bargarra)
- 19 The Gympie Area
- 20 The Biloela Area
- 21 The Marian Area
- 22 The Stanthorpe Area
- 22A The Warwick Area
- 23 Emu Park Tourist Area
- 24 The Dalby Area

## 25 The Ingham Area

**33 Amendment of sch 1 (Dictionary)**

- (1) Schedule 1, definition *exempt shop*—  
*omit.*
- (2) Schedule 1—  
*insert*—  
  
*2017 trading hours order* see section 16A.  
*closed day* see section 16A.  
*exempt shop* see section 5.  
*hardware shop* see section 16A.  
*south-east Queensland area* see section 16A.  
*tourist area* see section 16A.
- (3) Schedule 1, definition *non-exempt shop*, paragraph (b)—  
*omit.*
- (4) Schedule 1, definition *non-exempt shop*, paragraphs (c) and (d)—  
*renumber* as paragraphs (b) and (c).

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