

FACTORIES AND SHOPS REPEAL BILL 1995

EXPLANATORY NOTES

The object of the Bill is to repeal legislative prescriptions relating to the retail sale of motor fuel.

Reasons for enacting the Act

The *Factories and Shops Act 1960* contains provisions only in respect of the sale of motor fuel, other than some administrative provisions which relate to prescriptions previously repealed.

The aim of the legislation is to confine the retailing of motor fuel to genuine retail outlets and prevent bulk depots and establishments with industrial pumps from making sales in small quantities to the public.

However, this aim is not being achieved and the legislation is ineffective.

PART 1—PRELIMINARY

Clause 1 Short title. Provides a short title for the legislation.

Clause 2 Commencement. Provides that the repeal facilitated by this Act will take effect 1 year after the Act is assented to.

A corresponding amendment to the *Factories and Shops (Sale of Motor Fuel) Regulation 1989* is to allow for the fees payable in respect of sale of motor fuel permits to be proportioned over the last 12 months life of the legislation.

PART 2—REPEALS

Clause 3 Repeals. Provides for the repeal of all Acts mentioned in the Schedule attached to the Bill.

In order to repeal the *Factories and Shops Act 1960* it is necessary to repeal the original enactment and all amending legislation made subsequent to the original enactment.

This ensures the removal of all unnecessary legislation from the statutes.

PART 3—AMENDMENT OF INDUSTRIAL RELATIONS ACT 1990

Clause 4 Act amended. Provides for Part 3 to amend the Industrial Relations Act.

Clause 5 Amendment of S482 [Appointment of industrial inspectors]. Provides for the omission of subsection [4][b] which empowers industrial inspectors to be inspectors for the purposes of the *Factories and Shops Act 1960*. This provision will not be necessary with the repeal of the *Factories and Shops Act*.

SCHEDULE

Lists all the Acts to be repealed pursuant to Clause 3.