

Trading (Allowable Hours) Regulation 2014

Explanatory notes for SL 2014 No. 193

made under the

Trading (Allowable Hours) Act 1990

General Outline

Short title

Trading (Allowable Hours) Regulation 2014

Authorising law

Section 47 of the *Trading (Allowable Hours) Act 1990*

Policy objectives and the reasons for them

The objective of the *Trading (Allowable Hours) Regulation 2014* (TAH Regulation 2014) is to provide for administrative and procedural matters required for the effective working of the *Trading (Allowable Hours) Act 1990* (TAH Act).

Those matters, which relate to inspector's powers, declaration of obsolete trading hours orders, approved awards for voluntary work during extended trading hours and approval of forms, currently are contained in the *Trading (Allowable Hours) Regulation 2004* (TAH Regulation 2004).

The TAH Regulation 2004 is due for expiry on 1 September 2014.

Achievement of policy objectives

The TAH Regulation 2014 repeals the TAH Regulation 2004 but continues its provisions with minimal change as necessary for the effective functioning of the TAH Act.

The only substantive change to the provisions of the TAH Regulation 2004 is deletion of a provision which prescribed an approved industrial instrument under which an employee may refuse or agree to work during extended trading hours. The

approved industrial instrument was declared obsolete on 30 July 2013 so the provision has not been continued in the TAH Regulation 2014.

It is proposed that the TAH Regulation 2014 commence on 1 September 2014.

Consistency with policy objectives of authorising law

The TAH Regulation 2014 is consistent with the policy objectives of the TAH Act which include deciding the allowable trading hours of shops throughout Queensland.

Inconsistency with policy objectives of other legislation

There are no known inconsistencies with policy objectives of other legislation.

Benefits and costs of implementation

The TAH Regulation 2014 continues existing legislative provisions of an administrative or procedural nature which have the benefit of providing for the effective functioning of the TAH Act. Its provisions result in negligible, if any, costs on the community or Government.

Consistency with fundamental legislative principles

The TAH Regulation 2014 is consistent with fundamental legislative principles.

Consultation

Stakeholders were not consulted as the narrow administrative and procedural scope of the regulation make it unlikely that any significant adverse impacts would result from the remake of the TAH Regulation 2014. The Office of Best Practice Regulation (OBPR), Queensland Competition Authority were consulted and approved exclusion of the TAH Regulation 2014 from the regulatory impact statement process.