

**FACTORIES, SHOPS AND INDUSTRIES  
(AMENDMENT) ACT.**

**New South Wales**



ANNO VICESIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 60, 1971.**

An Act to make further provisions with respect to the trading hours of shops; for this purpose to amend the Factories, Shops and Industries Act, 1962; and for purposes connected therewith. [Assented to, 14th December, 1971.]

BE

*Factories, Shops and Industries (Amendment).*

**No. 60, 1971** **BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

**Short title.** 1. This Act may be cited as the "Factories, Shops and Industries (Amendment) Act, 1971".

**Amendment of Act No. 43, 1962.** 2. The Factories, Shops and Industries Act, 1962, is amended—

**Sec. 78.**  
(Definitions and application.)

- (a) by omitting from subsection one of section seventy-eight the definition of "The day of the weekly half-holiday" and by inserting in lieu thereof the following definition :—

"The town of Tweed Heads" means the area which was constituted by proclamation published under the provisions of section four of the Early Closing (Amendment) Act, 1900, in the Government Gazette of the twenty-ninth day of May, one thousand nine hundred and seven, as the country shopping district of Tweed Heads.

**Sec. 79.**  
(Closing and opening times of certain shops on week days.)

- (b) (i) by omitting from subsection two of section seventy-nine the words "the day of the weekly half-holiday" and by inserting in lieu thereof the words "any week day";
- (ii) by omitting subsection four of the same section and by inserting in lieu thereof the following subsection :—

(4) The opening and closing times for butchers' shops situate in any area, whether or not employees are employed in such shops, shall on each week day be such times as may

be

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be fixed by any State award for the time being No. 60, 1971  
in force or by any award for the time being  
in force under any Commonwealth Act relat-  
ing to industrial arbitration for the commence-  
ment and cessation, respectively, of the  
ordinary hours of work by employees in such  
shops in such area : Provided that where the  
time so fixed by an award made under any  
such Commonwealth Act for the cessation of  
the ordinary hours of work by employees—

- (a) on any week day in butchers' shops  
situate in the town of Tweed Heads is  
later than six o'clock in the afternoon,  
the closing time on any such week day  
for butchers' shops situate in that town  
shall, where the closing time for shops  
other than butchers' shops, scheduled  
shops and hairdressing shops situate  
in that town on any such day is—
  - (i) not later than six o'clock in the  
afternoon, be six o'clock in the  
afternoon ; or
  - (ii) later than six o'clock in the  
afternoon, be such later time  
as is so fixed by the award ;
- (b) on any week day other than Saturday  
in butchers' shops situate in an area  
outside the town of Tweed Heads is  
later than six o'clock in the afternoon,  
the closing time on any such week day  
for butchers' shops situate in that area  
shall, where the closing time for shops  
other than butchers' shops, scheduled  
shops and hairdressing shops situate  
in that area on any such day is—
  - (i) not later than six o'clock in the  
afternoon, be six o'clock in the  
afternoon ; or

(ii)

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(ii) later than six o'clock in the afternoon, be such later time as is so fixed by the award; and

(c) on Saturdays in butchers' shops situate in an area outside the town of Tweed Heads is later than one o'clock in the afternoon, the closing time for butchers' shops situate in that area shall, on Saturdays, be one o'clock in the afternoon.

Sec. 80.  
(Weekly half-holiday—town of Tweed Heads.)

(c) by omitting section eighty;

Sec. 81A.  
(Times at which after-hours pharmacies shall be kept closed.)

(d) by inserting next after paragraph (a) of subsection one of section 81A the following new paragraph :—

(a1) In this subsection "the day of the weekly half-holiday" means—

(i) in relation to shops situate in the town of Tweed Heads, any week day on which the closing time for such shops (not being butchers' shops, scheduled shops and hair-dressing shops) is earlier than two o'clock in the afternoon; and

(ii) in relation to shops situate in all other areas, Saturday.

Sec. 84.  
(Trading hours of shops on Sunday.)

(e) by omitting subsection three of section eighty-four;

(f)

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- (f) (i) by omitting from paragraph (c) of subsection one of section eighty-five the words "on the day of the weekly half-holiday" and by inserting in lieu thereof the words ", in the case of chemists' shops situate in the town of Tweed Heads, on any week day or, in the case of chemists' shops situate in any other area, on Saturday";

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 Sec. 85.  
 (Matters to  
 be dealt  
 with in  
 awards.)

- (ii) by omitting from the same subsection the following words :—

Subject to subsections two and four of this section, the time fixed by any such award for the cessation of the ordinary hours of work—

- (i) on week days by employees in shops (other than scheduled shops, small shops, ladies' hairdressing shops and vehicle service shops) in any area, and on week days other than Thursdays by employees in ladies' hairdressing shops in any area, shall not be later than six o'clock in the afternoon;
- (ii) on Thursdays by employees in ladies' hairdressing shops in any area shall not be later than forty-five minutes after the hour of eight o'clock in the afternoon,

and the time fixed by any such award for the cessation of the ordinary hours of work by employees in shops (other than scheduled shops, small shops and vehicle service shops) in any area on the day of the weekly half-holiday shall be not later than one o'clock in the afternoon.

(iii)

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(iii) by inserting next after the same subsection the following new subsections :—

(1A) Subject to subsection four of this section the time fixed by an award pursuant to the provisions of subsection one of this section for the cessation of the ordinary hours of work by employees in shops other than scheduled shops, men's hairdressing shops and vehicle service shops shall—

(a) in the town of Tweed Heads—

(i) on at least five week days, be six o'clock in the afternoon or earlier; and

(ii) on the remaining week day, be nine o'clock in the afternoon or earlier;

(b) in an area outside the town of Tweed Heads—

(i) on at least four week days (not including Saturday), be six o'clock in the afternoon or earlier;

(ii) on a remaining week day (not including Saturday), be nine o'clock in the afternoon or earlier; and

(iii) on Saturday, be one o'clock in the afternoon or earlier.

(1B) Subject to subsection four of this section the time fixed by an award pursuant to the provisions of subsection one of this section for the cessation of the ordinary hours of work by employees in men's hairdressing shops shall not—

(a) in the town of Tweed Heads on any week day, be later than six o'clock in the afternoon;

(b)

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- (b) in an area outside the town of Tweed No. 60, 1971  
Heads—
- (i) on Saturday, be later than one o'clock in the afternoon;  
and
  - (ii) on any other week day, be later than six o'clock in the afternoon.
- (iv) by omitting subsection two of the same section;
- (g) (i) by omitting from paragraph (b) of subsection Sec. 86. one of section eighty-six the words "the day (Offences.) of the weekly half-holiday or Sunday" and by inserting in lieu thereof the words "any day";
- (ii) by omitting from the same paragraph the words "such half-holiday or Sunday" and by inserting in lieu thereof the words "that day".
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**COMPANIES**