

LEGISLATIVE COUNCIL

SHOP TRADING REFORM AMENDMENT (EASTER SUNDAY) BILL 2011

(Amendments and New Clauses to be proposed in Committee by Mr SOMYUREK)

1. Clause 1, lines 2 and 3, omit "amend the **Shop Trading Reform Act 1996**".
2. Clause 1, lines 4 to 8, omit all words and expressions on these lines and insert—
 - "(a) amend the **Shop Trading Reform Act 1996**—
 - (i) to remove shop trading restrictions on Easter Sunday; and
 - (ii) to repeal section 5A of that Act which provides for Easter Sunday exemptions; and
 - (iii) to make other minor amendments; and
 - (b) amend the **Public Holidays Act 1993** to appoint Easter Sunday as a public holiday."
3. Clause 4, omit this clause.

NEW CLAUSES

4. Insert the following New Clauses to follow clause 3—
 - 'A **Section 5A substituted**
For section 5A of the **Shop Trading Reform Act 1996** substitute—
"5A Staffing on Easter Sunday
 - (1) If a shop, other than an exempt shop, is open on Easter Sunday, the occupier of the shop must ensure that the shop is staffed only by persons who have freely elected to work on that day, without coercion or harassment by or on behalf of the occupier of the shop.
 - (2) For the purposes of subsection (1), a person is not taken to have freely elected to work on a restricted trading day merely because the person is rostered, or required by the terms of an industrial instrument, to work on that day.
 - (3) This section has effect despite any other law."
 - B **Amendment of Public Holidays Act 1993—public holidays**
After section 6(f) of the **Public Holidays Act 1993** insert—
"(fa) Easter Sunday;"'.

AMENDMENT OF LONG TITLE

5. Long title, after "Sunday," insert "to amend the **Public Holidays Act 1993**,".