

House of Representatives

Supplementary Order Paper

Thursday, 14 February 2002

Shop Trading Hours (Abolition of Restrictions) Bill

Proposed amendment

Graham Kelly, in Committee, to move the following amendment:

New clause 2D

To insert, after *clause 2* on page 1, the following clause:

2D Effect of certain provisions in leases, etc

Section 8 of the principal Act is amended by inserting, after subsection (2B), the following subsections:

“(2C) A mandatory opening provision in a lease, licence, contract, covenant, or agreement entered into, or made, before the Shop Trading Hours Act Repeal Act (Abolition of Restrictions) Amendment Act 2002 came into force must not be interpreted as requiring a shop to open on a day that was listed in section 3(1) immediately before that Act came into force.

“(2D) **Subsection (2C)** does not apply to a shop that was entitled to open on that day, before the Shop Trading Hours Act Repeal Act (Abolition of Restrictions) Amendment Act 2002 came into force, under section 4.”

Explanatory note

This Supplementary Order Paper amends the Shop Trading Hours (Abolition of Restrictions) Bill by inserting *new clause 2D*, which protects a shop owner or occupier from being forced to open their shop on a day that was formerly listed in section 3(1) of the principal Act as a result of the restrictions on trading on those days being abolished.