

RETAIL TRADING HOURS AMENDMENT BILL 2015

First Reading

Bill read a first time, on motion by **Mr A. Krsticevic (Parliamentary Secretary)**.

Explanatory memorandum presented by the parliamentary secretary.

Second Reading

MR A. KRSTICEVIC (Carine — Parliamentary Secretary) [4.17 pm]: I move —

That the bill be now read a second time.

This bill amends the Retail Trading Hours Act 1987 to remove the distinction in the act between types of filling stations, to abolish the concept of holiday resorts and to exclude from the operation of the act stalls in short-term markets.

In recent years the government has made the following changes to the retail trading hours regulatory regime, so that restrictions on retailers are gradually removed. In 2010, special trading precincts were introduced and extensions were made to tourism precincts to extend Sunday and public holiday trading in the metropolitan area. Later in 2010, opening hours for general retail shops in the metropolitan area were extended to 9.00 pm on weekdays. In 2012, special trading precincts were abolished, alongside the further relaxation of restrictions to allow all shops in the metropolitan area to trade on Sundays and most public holidays from 11.00 am to 5.00 pm. In 2011 and again in 2014, the number of persons permitted to work in a small retail shop at any one time was increased. This bill introduces further reform through amendments proposed by a statutory review of the act. The proposed amendments will reduce red tape for both traders and the Department of Commerce.

Filling stations: The act already allows all types of filling stations to be open at any time. However, limitations are imposed on the types of goods that may be sold outside general retail shop trading hours. The act and regulations also designate three types of filling station and provide that different lists of goods may be prescribed for the different types of filling stations. The bill removes all distinctions between the types of filling stations, so that the rules with regard to the goods that may be sold apply equally to all filling stations. It is also proposed to amalgamate the existing lists of prescribed goods and modernise it as it has not kept pace with advances in technology. For instance, filling stations may sell film and flashbulbs but not memory cards for cameras outside general retail trading hours.

Holiday resorts and Rottneest Island: Section 12A of the act empowers the minister to make an order setting trading hours for general retail shops located in holiday resorts. Areas in Rockingham, Wanneroo and Rottneest Island are currently classed as holiday resorts. Given the extension of trading hours for general retail shops, the concept of a holiday resort is now largely redundant. The bill therefore repeals all holiday resort provisions in the act, but, because of its unique situation as a popular holiday resort isolated from the mainland, Rottneest Island is excluded from the application of the act.

Short-term market stalls: Lastly, many temporary or short-term markets have emerged over the last few years. Typically, these markets are demountable and set up on a morning and then packed up that same day. Stallholders are usually small operators who may have stalls in several markets that operate on different days. Under the act, the stallholders must have a small or special retail shop certificate to trade in each market if the market operates outside general retail shop trading hours, such as on a Sunday morning. The application process for these certificates is time consuming and costly for both stallholders and government, with approximately 1 000 to 1 200 applications processed annually. The bill therefore excludes stallholders in short-term markets from the application of the act.

The amendments proposed in this bill are consistent with the government's policy of simplifying the regulatory regime and removing anomalies.

I commend the bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman**.