# Time to Open

## Retail Trading Hours in WA – A Case for Reform

Chamber of Commerce and Industry WA

February 2021

# Summary

Western Australia's restrictions on retail trading hours are out of step with the modern world and in desperate need of reform. Businesses and consumers alike are caught up in bizarre and antiquated rules about when they can shop and what they can buy.

A domestic development (hardware) shop, for example, can sell light bulbs but not light fittings, outdoor lighting but not indoor lighting, wood-fire heaters but not gas heaters, indoor TV antennae but not outdoor TV aerials, and kitchen sinks but not dishwashers. Regulations stipulate that souvenir shops can sell souvenirs "projecting the flavour of the pioneering era", and that newsagencies can sell educational toys, but not computer games that are mains operated.

In contrast, Tasmania, Victoria, New South Wales, the Northern Territory and the Australian Capital Territory have all moved forward and allowed their businesses and consumers flexibility about when they can shop and what they can buy.

Meanwhile, Western Australia continues to lag behind with legislation that is more than a quarter of a century old and based on the principles of the English 1677 Sunday Observance Act.

## Current rules just don't make sense

In today's retail environment, consumers can shop from the comfort of their own lounge when it suits them. We do not tell online retailers like Amazon.com to wait until 11am on a Sunday morning before opening, yet we force employing local businesses that contribute to the vibrancy of our community to keep their doors closed. WA's retail trading arrangements are a textbook example of government red tape unnecessarily holding back the vitality and liveability of our community, while stifling WA jobs in the process.

## There has never been a more important time for reform

The COVID-19 pandemic has created additional imperatives for retail trading reform. While there has been an encouraging recovery in WA's labour market, there remains almost 15,000 fewer young people employed since the beginning of the pandemic. Indeed, WA's youth unemployment rate now sits at 13.1 per cent – more than a full percentage point higher than where it was before COVID-19. Businesses need as much support and flexibility to earn as much revenue as they can, and young people in particular need as many opportunities as possible to work. On page 11 of this report, we bring to light real stories of young Western Australians that have faced difficulty securing a job.

In the context of WA's most recent COVID-19 lockdown, extending retail trading hours – particularly on Sunday mornings – will reduce congestion in and around shopping precincts (including carparks) and allow shoppers and retail employees to practice effective social distancing. It will also provide the elderly with additional hours to do their regular shop, allowing them to avoid peak congestion periods.

## All Western Australians are set to benefit

When other states relaxed their trading hours, the sky did not fall in. In fact, multiple independent studies found that relaxing restrictions led to more retail jobs and hours of work – particularly for young people and women – and higher retail sales. Busy families and shift workers were able to shop at times that suited them, and smaller retailers in shopping precincts benefited from the increased foot traffic. The argument that retail trading reform compromises small businesses and leads to fewer jobs simply does not stack up.

## There is widespread community support for reform

Retail trading hour reform has the backing of both Western Australian businesses and households. According to CCIWA's most recent Business and Consumer Confidence surveys, the clear majority of Western Australian businesses (72%) and households (69%) believe that to give local businesses the best shot at surviving COVID-19, all WA businesses should have the freedom to open their doors when they want.

## Common sense reforms as a starting point

It is time to bring WA's retail trading hour laws into the 21st century; it is time for common sense to prevail. We are calling on the State Government to undertake incremental reforms that represent a reasonable compromise from both sides of the debate. Not only are our proposed reforms easy to implement and have no costs attached to them, they would push WA's economic recovery in the right direction and create jobs for the 15,000 young people unemployed due to COVID-19 and almost 113,000 underemployed Western Australians looking for more work.

In this special report, we lay out the case for reforming WA's retail trading hours for the benefit of all Western Australians.

> We do not tell online retailers like Amazon.com to wait until 11am on a Sunday morning before opening.

| CCIWA's common sense proposal for reform | Monday-Friday | Saturday | Sunday | Public Holidays | Regulations |
|---|---|---|---|---|---|
| **Current** | 8am-9pm | 8am-5pm | 11am-5pm | 11am-5pm | The Government dictates the individual products certain categories of retailers can and cannot sell. |
| **Proposed** | No change | 8am-9pm | 8am-5pm | 8am-6pm | Remove the part of the regulations that dictates what certain businesses can and cannot sell. |

# Retail Trading Reform: Benefits for all Western Australians

The entire community would benefit from reforming WA's outdated restrictions on retail trading hours:

## Employees

- Creates more work opportunities, particularly for younger people and women.
- Increases available hours of work for existing employees.
- Boosts flexibility for young, casual and part-time workers who prefer to work unconventional hours – including university or TAFE students and shift workers.

## Businesses

- Gives businesses the flexibility and freedom to sell what they want, when they want.
- Proven to boost retail turnover.
- Allows bricks and mortar retailers to compete against multinational online retailers that can operate 24/7.
- Increased foot traffic from larger retailers benefits small businesses in shopping precincts.

## Households and Community

- Increases flexibility and convenience for working families, especially single parents juggling a career with parenthood, and shift workers such as nurses, police and cleaners.
- Enhances the vibrancy of local community hubs by encouraging consumers to spend in their local precincts, rather than online.
- Attracts and retains tourists who add monetary and cultural value.
- Smooths out peak demand periods, reduces congestion in and around shopping precincts and allows shoppers to practice more effective social distancing.

# There is widespread community support for reform

A common misconception is that there is no community appetite for reform. CCIWA's recent Consumer and Business Confidence surveys reveal that retail trading reform has the backing of Western Australian households and businesses across the State.

## Western Australian Households[1]

Two out of three (69%) Western Australians believe to give local businesses the best shot at surviving COVID-19, all WA businesses should have the freedom to open their doors when they want. This aligns with a survey commissioned by The West Australian newspaper released on Boxing Day 2019, which found that just under three-quarters (74%) of Western Australians backed the relaxation of shopping hours in WA.

Seven out of ten (71%) believe extending retail trading hours would provide more hours of work for younger people, including 75 per cent of casual workers and those aged 18-44.

More than two out of five (46%) Western Australians agree that if supermarkets could open earlier on a Sunday it would make their life easier, almost double the proportion that do not agree (28%). Other groups that agree with this statement include the majority of full time workers (57%) and those aged between 18-44 years (59%).

Around two in three (65%) believe small businesses in local shopping precincts would benefit from increased foot traffic if supermarkets could open earlier on Sunday mornings. 75 per cent believe local shopping precincts can be a hub for community activities.

Six out of ten (61%) believe extending retail trading hours would help bricks and mortar retailers compete with online operators, like Amazon.com, who can operate 24/7.

## Western Australian Businesses[2]

Three out of five (62%) WA businesses agree that small businesses in local shopping precincts would benefit from increased foot traffic if supermarkets were allowed to open on Sunday mornings. Another 20% are ambivalent, leaving only 18% opposed. Breaking down these results further:

- Three out of five (64%) **small businesses** agree (16% neutral, 21% opposed).
- Seven out of ten (71%) **retail businesses** agree (4% neutral, 25% opposed).

61 per cent believe extending trading hours would provide more hours of work to younger people (23% neutral, 17% opposed), including:

- 63 per cent of retail businesses (13% neutral, 25% opposed)
- 61 per cent of medium businesses (24% neutral, 15% opposed) and 73 per cent of large businesses (12% neutral, 15% opposed).

> Just under three-quarters of Western Australians backed the relaxation of shopping hours in WA

| Widespread community support for reform | Businesses | Households |
|---|---|---|
| | Proportion that 'agree' to the following statements | |
| Extending retail trading hours would help bricks and mortar retailers compete with online retailers like Amazon.com, who can operate 24/7. | 73% | 61% |
| Small businesses in local shopping precincts would benefit from increased foot traffic if all supermarkets could open earlier on Sunday mornings. | 62% | 65% |
| To give local businesses the best shot of surviving COVID-19, all WA businesses should have the freedom to open their doors when they want. | 72% | 69% |
| Extending retail trading hours would provide more hours of work to younger people. | 61% | 71% |
| Local shopping precincts can be a hub for community activities. | 73% | 75% |

1 Source: CCIWA Consumer Confidence Survey – September 2020. Data collected 11-23 August 2020.
2 Source: CCIWA Business Confidence Survey – September 2020. Data collected 31 August – 18 September 2020

# Dispelling the myths

Commentators opposed to reforming WA's retail trading laws have advanced a number of unsubstantiated arguments in an attempt to stifle progress. Here we set the record straight and bust some of the myths around retail trade reform.

## Myth 1: Small businesses lose their competitive advantage and are forced to reduce staff numbers

A common argument against shopping hours reform is that small retailers lose their competitive advantage when trading hours are extended, and so are forced to reduce their workforce. This argument does not reflect the hard evidence:

- On the contrary, a 2011 research paper from the University of Western Australia found that "deregulation of shop trading hours is likely to **lead to an increase in small business employment**".
- Australian Bureau of Statistics data shows no negative relationship between the relaxation of shopping hours and the proportion of small businesses. Indeed, States that have deregulated shopping hours, such as Victoria and NSW, currently have more small employing retail businesses per head of population than Western Australia.

Small businesses in proximity to larger businesses in shopping precincts stand to benefit from increased foot traffic if shopping centres choose to open earlier. For example, you might grab a coffee from the local café and a newspaper from the newsagents on the way to the supermarket.

## Myth 2: There will be pressure on workers to work unsociable hours and on holidays

This argument defies reality. WA's youth unemployment rate currently sits more than a full percentage point higher than where it was before the pandemic, and almost 113,000 Western Australians are underemployed and therefore by definition want to work more hours. In the wake of COVID-19, retail shops would be hard pressed to find employees opposed to working additional hours. Indeed, many casual and part-time workers, such as University or TAFE students, look forward to earning extra income.

There is also no evidence to suggest employees are being pressured to work unsociable hours. Retail employees in small shops that can operate 24/7 (e.g. IGA), and those working in deregulated areas (e.g. north of the 26th parallel) have not reported concerns about their current employment arrangements, and larger retailers have human resource policies that do not force individuals to work at times that do not suit them.

## Myth 3: It's just the major supermarket retailers that stand to benefit

There is a common misconception that it is just the big supermarkets, like Coles and Woolworths, that would benefit from the relaxation of trading hours. This is simply not true. For instance, any retailer that employs more than 25 people at a given time or has more than 6 owners or shareholders is required to comply with the regulations. By and large, this relates to all larger 'chain' retailers, including women's clothing stores, technology outlets, activewear brands and department stores.

## Myth 4: Small retailers in shopping centres will be forced to open when they don't want to

Section 12C of the Commercial Tenancy (Retail Shops) Agreements Act 1985 (WA) prevents landlords from "forcing" shops to open. Instead, shops have the choice to take advantage of the additional hours if it is in their interests to do so. Another argument is that small businesses will be forced to pay higher costs from having shopping centres open longer. However, non-rent occupancy costs within shopping centres are mostly fixed, such as carpark maintenance and security, and what's more, retail tenancy legislation ties much of those expenditures to the landlord.

## Myth 5: What worked in other States might not work here in WA

Some commentators claim that WA's small population does not warrant longer trading hours. However, Tasmania and the ACT are both considerably smaller than WA in terms of population and size yet have benefited significantly from the relaxation of trading hours. In Tasmania, retail employment grew 17 per cent in the three years after they relaxed restrictions on trading hours – almost double the national average over the same period (10%). Similarly, when Tasmania deregulated in 2002, over the following three years it experienced 26 per cent growth in retail sales compared with an Australia-wide growth rate of 17 per cent.

What's more, WA communities above the 26th parallel and in those areas where there has been full or partial deregulation have not been disadvantaged by deregulated trading hours despite being considerably smaller than Sydney or Melbourne.

## Myth 6: If consumers only have the same amount of income, and hence the same amount of money with which to make purchases, the removal of restrictions on shop trading hours can't result in increased sales

As outlined in detail below, the experience of other States is that retail sales grow significantly in the years following deregulation. This stems from three key effects:

1. Money that would have been spent online (in a business that could be located in another country or state) may instead be spent at a local employing Western Australian retailer.
2. Retail shopping is a leisure activity that competes with other leisure and entertainment activities, like going to the movies. Longer trading hours increase the opportunities for families and consumers to make more shopping purchases (e.g. reallocating spending from one leisure activity to another).
3. Extended trading hours provides greater flexibility for consumers to make purchases that they otherwise may not have had time for. In other words, longer trading hours gives consumers more opportunities to fulfil unrealised needs.

# A confusing patchwork of regulations – the current state of play

## In WA, sometimes a shop is not just a shop...

First, it is important to recognise the types of shops that are not forced to comply with WA's retail trading regulations.

The restrictions do not apply to hospitality premises, including restaurants, cafes and bars, or retail shops located north of the 26th parallel (around Shark Bay). Bizarrely, they also do not apply to shops that operate in 'stations where public passenger transport services are running'.

Additionally, regional centres can modify their shopping hours with the permission of the relevant Minister, and the new Costco store near the airport can set its own opening hours because it is on Commonwealth land.

Small retail shops are also excluded from WA's retail trading legislation and can operate 24/7. These shops are owned by up to six people who operate no more than four retail premises, in which up to 25 people work at any one point in time (not including apprentices).

For everyone else, there are **two** main categories of retail shops, each governed by different sets of regulation. **This is where the State Government should prioritise retail trading reform.**

**1. General retail shops**

These are predominantly the larger retailers and are not allowed to open outside the following hours:

- Monday – Friday: 8am-9pm
- Saturday: 8am-5pm
- Sunday: 11am-5pm
- Public Holiday: 11am-5pm

**2. Special retail shops**

Retailers that fall into this category are allowed to trade from 6am to 11:30pm every day of the year. That sounds pretty good, but there's a catch...

To be classified as a special retail shop, businesses can only sell the individual goods or services that are prescribed by the State Government in an official list. Not only are these regulations restrictive, they are complex, archaic and intransigent. Some items haven't been updated in over 20 years. The table below illustrates examples of what special retail shops can and cannot sell.

### The wacky world of WA's retail trading regulations

What certain types of shops can ✔ and cannot sell ✘

| Hardware Stores | | | | | Newsagencies |
|---|---|---|---|---|---|
| ✔ Light bulbs | ✔ Outdoor lighting | ✔ Wood-fire heaters | ✔ Kitchen sinks | ✔ Personal safety equipment and clothing | ✔ Educational toys |
| ✘ Light fittings | ✘ Indoor lighting | ✘ Gas heaters | ✘ Dishwashers | ✘ Overalls | ✘ Computer games that are mains operated |

# So, what exactly needs to happen?

The process for reforming WA's retail trading restrictions is extremely simple. There is no need for another review – reforming WA's retail trading regulations can be done right now.

**Special retail shops**

The Government should abolish the part of the regulations that stipulate what a business can sell when. This would remove the outdated rules about the precise products that special retail shops can sell when.

**General retail shops**

At the same time, the Government should undertake the following reforms to allowed trading hours.

- Align Saturday trading to weekday trading by extending Saturday trading hours four hours in the evening, taking allowed trading hours from the current 8am to 5pm, to 8am to 9pm.
- Open up Sunday morning trading by extending allowed trading hours three hours in the morning, taking allowed trading hours from the current 11am to 5pm, to 8am to 5pm.
- Formally enact Public Holiday trading extensions to reflect the standard extension that is currently applied, which permits general retailers to open from 8am-6pm.

# Why reform? A deep dive into the benefits

The entire WA community would stand to benefit if shops were able to sell what they want, when they want. From increased job opportunities for young Western Australians to greater convenience for busy families, the benefits of modernising WA's retail trading laws are widespread. And given the reforms are easy to implement and have no costs attached to them, they represent a great opportunity for the State Government to implement policy reform for the benefit of all Western Australians.

## Employees

### More flexibility for younger employees, and part-time workers

Modernising WA's retail trading hours would provide retail employees with increased flexibility to work hours that suit their lifestyle, particularly younger workers enrolled in secondary or tertiary education or those on casual or part-time contracts.

Students prefer to work either late at night, early in the morning or on weekends to accommodate their study commitments. The Productivity Commission identified that students make up nearly 90 per cent of all employees who work only on weekends.

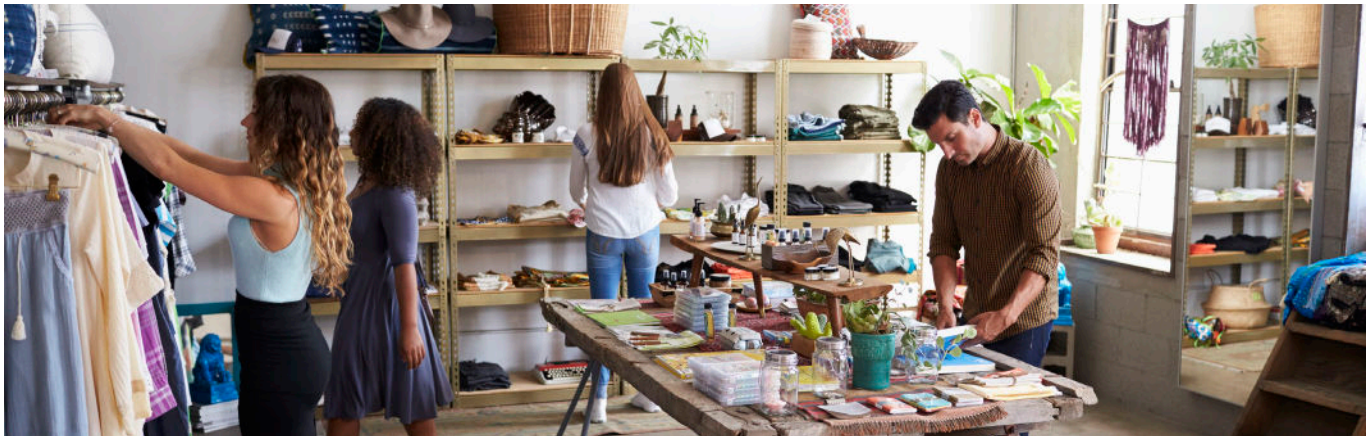
### More jobs, more hours...

Retail trading reforms would create more work opportunities, particularly for young Western Australians and women, and additional hours of work for existing employees. Multiple independent studies have concluded there is a strong positive relationship between the relaxation of retail trading hours and jobs growth.

The Productivity Commission observed that the increase in retail employment is large after the relaxation of trading hours, and that:

> *...further deregulation of trading hours is likely to benefit particularly the youngest and oldest age cohorts, first time job-seekers, and those with a preference for part-time of casual work.*

Looking to Australian Bureau of Statistics data, in the three years after trading hours reform in Victoria, employment in the retail sector grew by 5.5 per cent,



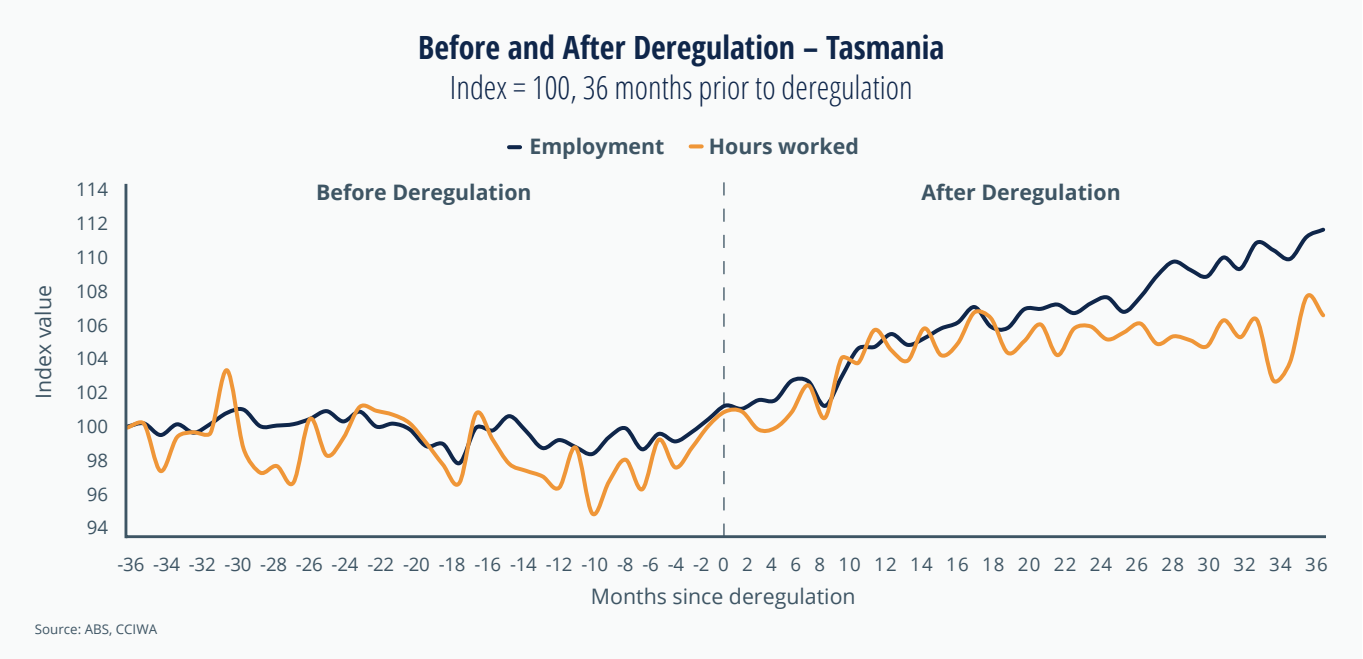
compared to 4.7 per cent for the rest of Australia. And while growth in part time retail employment occurred during this period, the Productivity Commission found that it had not been at the expense of full-time employment.

In Tasmania, retail employment grew 17 per cent in the three years after they relaxed restrictions on trading hours – almost double the national average over the same period (10%). What's more, Tasmanian employees worked an additional 2.13 million hours, an increase of 7.7 per cent.

It wasn't just retail employment that grew. Total employment in Tasmania grew by 10 per cent in the three years post trading hour reform, compared to only 1 per cent in the three years prior. This likely reflects employment growth in industries throughout the retail supply chain, or those that benefit from increased foot traffic earlier in the day or later in the night (e.g. hospitality, events and entertainment).

In any case, the evidence is clear: relaxing restrictions on retail trading hours leads to more jobs and additional hours of work for those who want to work more. And local WA businesses agree. In the September edition of the CCIWA Business Confidence Survey, six out of ten (61%) WA businesses agreed that extending retail trading hours would provide more hours of work to younger people*.

Creating job opportunities for young people is more important than ever. Due to the economic fallout from COVID-19, almost 15,000 young Western Australians have found themselves out of a job. Reforming WA's retail trading restrictions would provide vital support to younger, less skilled workers who frequently rely on these industries as a gateway into the workforce.




**WA businesses were asked to identify the extent to which they agree with the following statement: "Extending retail trading hours would provide more hours of work to younger people". Data was collected between 31 August and 18 September 2020.*

# Bringing to light the stories of young Western Australians

We connected with young Western Australians who have reported difficulty securing a job. They agreed to share their stories.

> "I am a 3rd year university student and work part-time in a local small business precinct. Allowing businesses to open earlier in the mornings, particularly on weekends, would give me the opportunity to work more hours at times that suit my schedule."

**Ellie, 21, Student**

> "I work in a retail sport store in Claremont. The first half hour on a Sunday morning is the busiest period of the day and there's typically a long line of customers waiting to come in and use the changerooms. Giving retail shops the freedom to open earlier, particularly on Sunday mornings, would lessen the strain on employees and help smooth out our peak periods. It would also help customers maintain a safe social distance!"

**Emma, 21, Retail worker**

> "As an actor/student, the past 12 months have been tougher than most. The arts industry has been put under a lot of pressure so more casual employment would definitely create more stability. I know a lot of people in the arts would be grateful for more jobs right now! In my view, it makes sense to let retail shops open later in the evening, so that work hours could align with training and study. Opening later in the evening would also then give those who can't make it in the standard working day an opportunity to visit the shops"

**Eloise, 22, Actor & Student**

# Businesses

## Increases flexibility and boosts retail turnover

Businesses of all shapes and sizes benefit from extended retail trading hours. It provides retailers with the freedom to open their doors when it suits them and sell products that align with fast-changing consumer trends. It also boosts retail sales, as consumers who find it difficult to shop during restricted hours are presented with more opportunities to make purchases.

Looking to the hard evidence, a 2011 report developed out of the University of Western Australia highlighted that when Victoria deregulated in 1996, sales grew faster there than in any other State.

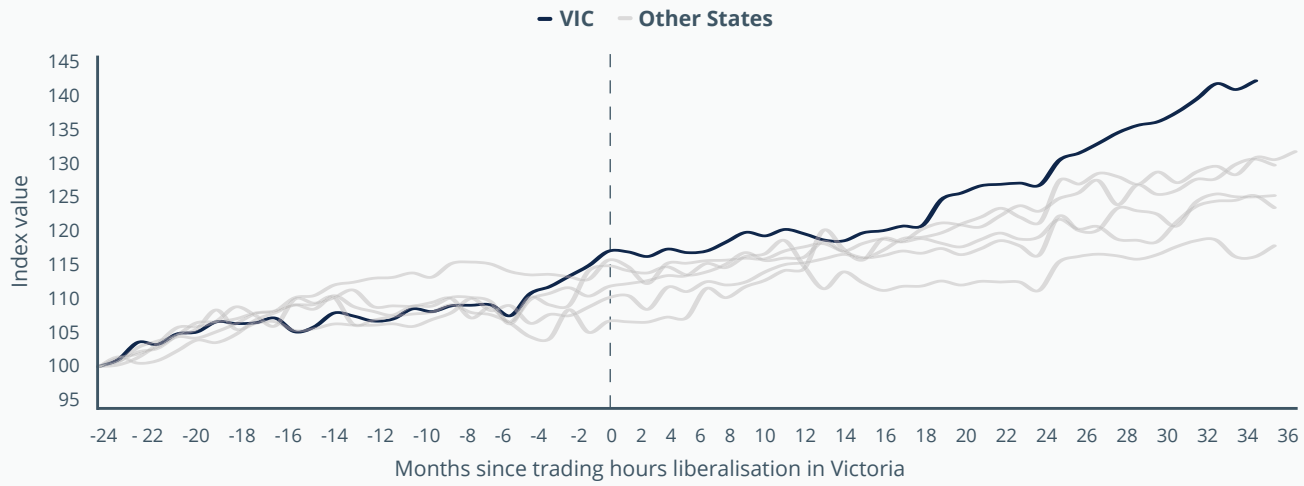
Similarly, when Tasmania deregulated in 2002, over the following **three** years it experienced 26 per cent growth in retail sales compared with an Australia-wide growth rate of 17 per cent.

### Comparison, 3 years pre and post deregulation across states

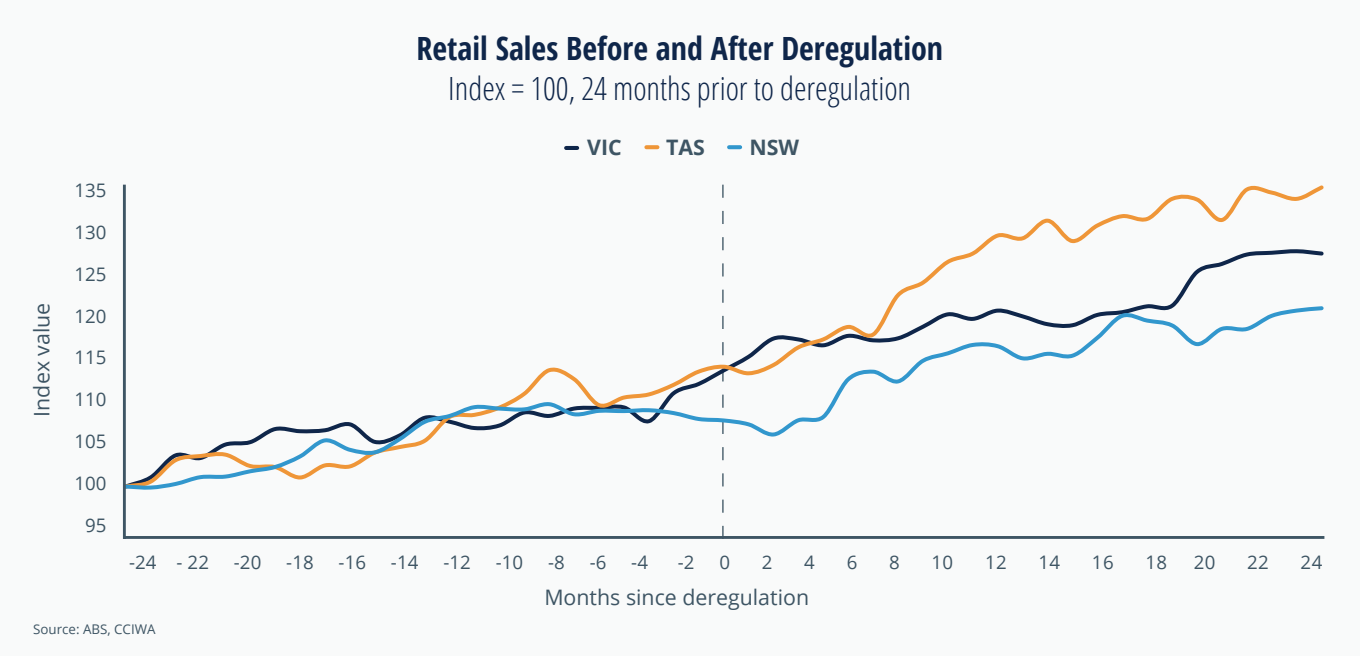
| | Victoria | Tasmania |
|---|---|---|
| Date of retail deregulation | November 1996 | December 2002 |
| Total retail sales growth in the three 3 years **post** deregulation | 25 per cent (national 15%) | 26 per cent (national 17%) |
| Total retail sales growth in the 3 years **prior** to deregulation | 15 per cent (national 21%) | 18 per cent (national 22%) |

### Retail Sales Before and After Deregulation – Victoria

Index = 100, 24 months prior to deregulation




Source: ABS, CCIWA




## Supports small retailers

Importantly, the benefits of increased retail turnover are spread throughout the retail community, including smaller operators like cafes, restaurants, and newsagencies located in the vicinity of 'anchor' tenants in shopping precincts.

Increased foot traffic benefits smaller operators, and we see this in States with more liberalised trading hours. Victoria, New South Wales and Tasmania all have more employing small retail and hospitality businesses per head of population than Western Australia.

Indeed, three out of five (62%) WA businesses agree that smaller businesses in local shopping precincts would benefit from increased foot traffic if supermarkets could open earlier on Sunday mornings.

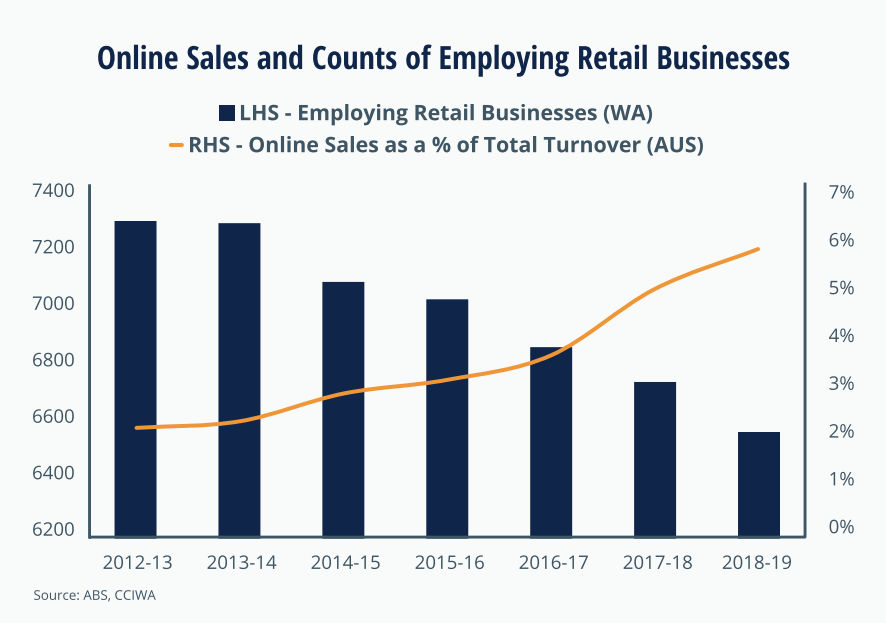
## Online competition

COVID-19 has accelerated the trend towards online retailing, with social distancing restrictions forcing consumers online, rather than in-store. Since the start of the pandemic, online sales have increased almost 60 per cent. Western Australians have now come to expect increased variety, convenience and flexibility in their shopping experience, and can now do so from the comfort of their own home.

Modernising WA's retail trading hours would help local bricks and mortar retailers compete on a level playing field with major online retailers who can operate 24/7, like Amazon.com. In recent years, the number of employing retail businesses has steadily declined as online sales have grown in prominence.

Local retailers contribute to the fabric of our communities and create meaningful jobs for young people. There is no justification for giving online operators based in other countries the upper hand.

WA businesses agree. Nearly three out of four (73%) agree that extending retail trading hours would help bricks and mortar businesses compete with online retailers.




## The WA community

### Families and Households

Retail trading laws have featured as part of the state's regulation for almost 200 years, and are based on the principles of 17th century English laws (the 1677 Sunday Observance Act). It's no surprise they are increasingly out of step with modern consumer expectations and patterns of work.

Extending WA's retail trading hours would provide more flexibility and convenience for working families, especially single parents juggling a career with parenthood, and shift workers such as nurses, police and cleaners. Parents with children who are highly active in weekend sport and recreational activities would also benefit from additional trading hours, particularly on a Sunday morning.

## Reignite vibrancy in our communities

The COVID-19 pandemic has encouraged people to stay at home, away from their local community hubs and precincts. Since the start of the pandemic, gyms have been replaced with at-home workout programs, and restaurants with Uber Eats. There are now more reasons than ever for people to stay at home.

At the same time, there is a shift underway in the retail sector to transform traditional shopping precincts into 'living centres' – a community hub where people can shop, work, eat, see a doctor, and have a child minded. The redevelopments at Carousel, Whitfords and Belmont are examples, with modernised cinemas, playgrounds, licensed venues, alfresco areas, sustainable gardens and live music spaces.

Opening up WA's trading hours will help drive people back to community centres and reignite vibrancy on our high streets. In the wake of COVID-19, reconnecting people with community has never been more important.

Last year, Simone De Been of Kalgoorlie Boulder CCI commented on the Council's decision to extend retail trading hours on Sunday, including Sunday morning:

> *"... we've got a more vibrant main street now on a Sunday ... Our community as a whole just loves it, especially because we're a mining town and we've got a lot of shift workers in town. So the community definitely love it.*
>
> *One industry that it really did benefit was the tourism industry. Instead of people coming to Kalgoorlie and just driving through, and we're missing out on that spend, people are now staying in town because they can do their shopping on the Sunday. Go up the main street, have a look, have a coffee, something to eat and there's shops available."*

## Attract and retain tourists

In normal times, Western Australia thrives off interstate and international tourism. Retail spending by tourists makes up around 10 per cent of Western Australia's tourism exports.

Relaxing restrictions on retail trading hours will boost WA's tourism appeal by increasing the vibrancy and atmosphere of shopping precincts and tourist zones, particularly on Saturday nights and Sunday mornings.

Modern tourists have come to expect shopping convenience and flexibility, particularly if they spend time during the day sightseeing or visiting relatives. A 2018 report by the Bankwest Curtin Economics Centre identified that Chinese visitors "often filled their days with day trips away from Perth city and expected to spend the early evening shopping before eating out for dinner." It also identified that "many Chinese visitors complained that shops are closed too early in WA."

WA competes with other States and countries to attract and retain international tourists. Extending WA's trading hours is a zero-cost method of boosting WA's competitive advantage and consolidating the future pipeline of international visitors. Attracting and retaining international tourists helps to ensure the financial stability of local tourism operators and provides benefits to industries throughout the tourism value chain, including hospitality and entertainment.

> Opening up WA's trading hours will help drive people back to community centres and reignite vibrancy on our high streets

# Appendix

## Jurisdictional Comparison – Retail Trading Hours

### Australian States and Territories

**Western Australia**

Legislation: *Retail Trading Hours Act 1987*

**General Retail Shops – Perth Metropolitan Area**

Larger retail shops that do not fall under the 'small' or 'special' category.

- 0800-2100: Monday to Friday
- 0800-1700: Saturday
- 1100-1700: Sunday
- 1100-1700: Public holidays
- Closed days: Christmas Day, Good Friday and ANZAC Day

**Small Retail Shops**

Shops with up to 6 owners that employ no more than 25 employees at a time and own no more than four retail shops.

- No restrictions

**Special Retail Shops**

Considered necessary for emergency, convenience or recreation goods. Dictated by a list of shop categories prescribed by the Government.

- 0600-2330: Every day of the year

**Filling Stations**

- No restrictions

**Motor Vehicle Shops**

- 0800-1800: Monday, Tuesday, Thursday, Friday
- 0800-2100: Wednesday
- 0800-1300: Saturday
- CLOSED on Sunday and Public Holidays

## South Australia

Legislation: *Shop Trading Hours Act 1977 and the Shop Trading Hours Regulations 2018 (SA)*

Trading hours restrictions in South Australia vary depending on the type of shop and the location of the shop.

**Non-exempt shops* in the Greater Adelaide District**

- Until 2100: Monday to Friday
- Until 1700: Saturday
- Between: 1100 to 1700 Sundays

**Non-exempt shops* in 'proclaimed' districts:**

- Until 1800 Monday – Friday
- Until 2100 Thursday
- Until 1700 Saturday

*Non-exempt shops are mainly larger retail shops that do not fall under any 'exempt' category.

**Non-exempt shops** are to remain CLOSED on public holidays, 1 January, Easter Sunday, 25 December, 26 December.

**Exempt shops**

If located in the Greater Adelaide District, a shop is considered exempt if it has a retail floor area not exceeding 200sqm or 400sqm if it is a supermarket/grocery store, or is one of the shop categories prescribed in the legislation. Shops are also considered exempt if they are located outside of the Greater Adelaide District and also outside of the 35 Proclaimed Districts.

- There are no trading restrictions for exempt shops.

## ACT

Trading hours in the ACT are fully deregulated except for public holidays.

## NSW

Legislation: *Shop Trading Act 2008*

- For all shops except 'small' retail shops, there are no restrictions on trading on any day of the week other than restricted trading days, which are:
  - Good Friday
  - Easter Sunday
  - Prior to 1pm on Anzac Day
  - Christmas Day
- Small retail shops are exempt from any restrictions on trading hours.

## Victoria

Legislation: *Victorian Public Holidays & Shop Trading Act 2010*

- No restrictions other than Good Friday, Christmas Day and before 1pm on ANZAC Day

## Queensland

Legislation: *Trading (Allowable Hours) Act 1990 and the Trading (Allowable Hours) Regulations 2004.*

The Act establishes three categories of shops, each regulated differently:

**Exempt Shops**

Dictated by a prescribed list of over 30 different shop categories.

- There are no restrictions on trading hours for exempt shops.

**Independent Retail Shops**

Shops are classified as 'independent' if they engage a maximum of 20 people in the shop at any one time and where no more than 60 people are engaged in all of the shops operated by the owner in Queensland.

- There are no restrictions for these shops except they must remain closed on Good Friday, Christmas Day and until 1pm on ANZAC Day.

**Non-Exempt Shops**

All other shops that aren't classified as exempt or independent (e.g. larger retailers):

Trading hour restrictions depend on location:

- South East Queensland
  - 0700-2100: Monday through to Saturday
  - 0900-1800: Sunday + Public Holidays other than closed days.
- Tourist Areas
  - 0600-2200: Monday - Friday
  - 0700-2200: Saturday
  - 0700-2100: Sunday + Public Holidays other than 'closed days'.
- Seaside Resorts
  - 0800-2100: Monday – Friday
  - 0800-1800: Saturday
  - 0900-1800: Public Holidays
  - CLOSED Sunday
- Any other regional areas
  - 0800-2100: Monday – Friday
  - 0800-1800: Saturday
  - 0800-1800: Sunday

There are no restrictions on the types of goods that may be sold at any shop.

## Tasmania

Legislation: *Shop Trading Hours Act 1984*

- No restrictions – non-exempt shops only required to close on Christmas Day, Good Friday and ANZAC morning.

## Northern Territory

Trading hours in the Northern Territory are fully deregulated except for public holidays.

## International Jurisdictions

### New Zealand

Legislation: *Shop Trading Hours Act 1990*

In New Zealand, legislation lifted almost all shop trading hours restrictions by 1990.

There are now only three and a half days when almost all shops must be closed (under the Act). These days are:

- Christmas Day (a public holiday)
- Good Friday (a public holiday)
- ANZAC Day, until 1.00 pm on 25 April (a public holiday)
- Easter Sunday (not a public holiday)

### Canada

Throughout its history, Canada has had no legislated restrictions on retail trading hours except for Sundays.

This changed in 1985, where the Supreme Court of Canada ruled that each of the ten provinces should be responsible for permitting Sunday shopping within their own jurisdiction.

In every province except Quebec, there are no restrictions on retail trading hours at all and stores can stay open 24 hours every day, except for nine prescribed public holidays. Quebec is the only province in Canada that regulates shopping hours outside of Sundays and holidays.

### United Kingdom

There are no trading hours restrictions in Scotland.

In England, there are no trading hours restrictions on weekdays or Saturday. On Sunday, trading hours restrictions depend on the type of business:

- If the size of the retail shop is less than 280 square meters (e.g. a small business), there are no restrictions on trading hours on Sundays. These businesses may trade at any time.
- Retail shops with a size greater than 280 square meters (e.g. larger retailers) may open on Sundays but only for 6 consecutive hours between 10am and 6pm. They must also close on Easter Sunday and Christmas Day.
  - Exemptions include airport and railway station outlets, service stations, pharmacies and motor vehicle or bicycle shops.