

SOUTH AUSTRALIA

SHOP TRADING HOURS REGULATIONS 1992

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LEGISLATIVE HISTORY

REGULATIONS UNDER THE SHOP TRADING HOURS ACT 1977

Shop Trading Hours Regulations 1992

being

No. 257 of 1991: *Gaz.* 19 December 1991, p. 1955¹

as varied by

No. 264 of 1999: *Gaz.* 16 December 1999, p. 3502²

¹ Came into operation 1 January 1992, reg. 2.

² Came into operation 16 December 1999: reg. 2.

Citation

1. These regulations may be cited as the *Shop Trading Hours Regulations 1992*.

Commencement

2. These regulations will come into operation on 1 January 1992.

Revocation

3. The *Shop Trading Hours Regulations 1977* are revoked.

Interpretation

4. In these regulations, unless the contrary intention appears—

"the Act" means the *Shop Trading Hours Act 1977*.

Meaning of "hardware and building materials"

5. The term "**hardware and building materials**" when used in the Act means goods of a class set out in schedule 1 or 2 or goods of a similar class.

Section 13(5f)(b)—Prescribed hardware and building materials and prescribed percentage

6. (1) The hardware and building materials set out in Schedule 2 are prescribed for the purposes of section 13(5f)(b) of the Act.

(2) The percentage of the aggregate price of all hardware and building materials sold at a shop for the purposes of section 13(5f)(b) of the Act is 20 per cent.

Closing and fastening of yards

7. (1) Where a yard comprises the whole or part of a shop the boundaries of the yard must be closed and fastened against the admission of the public by a fence that meets the following requirements:

(a) the fence must form a barrier that is impossible or difficult for a person to cross and in the case of a fence comprising a chain or rail supported at each end, no part of the chain or rail may be less than 800 millimetres nor more than 1 000 millimetres from the ground;

(b) a gate or door comprising part of the fence must be securely locked;

and

(c) all parts of the fence that are designed to be removed must be securely locked in place.

- (2) In this regulation—

"**fence**" includes a wall or any other barrier.

Section 17 licences

8. (1) An application for a licence under section 17 of the Act must be in writing and must state—

(a) the address of the shop to which the application relates;

and

(b) the name and address of the applicant.

(2) A licence granted under section 17 of the Act is subject to the following limitations, restrictions and conditions:

(a) the shopkeeper must ensure that the business of the shop is predominantly the retail sale of motor spirit and lubricants;

(b) the aggregate price of goods (not being motor spirit, lubricants, spare parts and accessories for motor vehicles or foodstuffs or drinks) sold at the shop during any period of seven consecutive trading days must not exceed 20 per cent of the aggregate price of motor spirit, lubricants and spare parts and accessories for motor vehicles sold at the shop during that period;

and

(c) the shopkeeper must at the request of an inspector produce the licence to the Inspector for examination.

SCHEDULE 1*Hardware and Building Materials*

abrasives
 adhesives
 air compressors
 animal fodder
 annexes—caravan;
 tent.
 asbestos cement sheet and articles
 ashtrays
 automotive polishes and waxes
 aviaries
 awnings
 bathroom and toilet fittings
 baths
 batten holders
 bedpans
 birdfood
 bituminised paper
 bolts
 books of the "do-it-yourself" category
 brackets
 bricks
 brooms
 brushes for—painting;
 clothes;
 scrubbing and other household use.
 buckets
 cabinet hardware
 camping equipment
 castors
 cement
 cement mixers
 ceramic tiles
 chain
 chamois (natural or synthetic)
 cleaners for use in cleaning—bowls, tubs or sinks;
 floors and walls;
 drains.
 clothes—hoists;
 lines;
 pegs.
 coal
 coke
 charcoal
 compost
 compost bins
 dampcourse of plastic or other material
 degreasing compounds
 door—bells;
 closures;
 mats.
 doors
 drill bits
 dustpans
 earth

earthenware pipes and fittings
electric—cables;
 cable fasteners;
 switches.
fasteners and catches
feed grains
fertilizers
fibrous cement sheet and articles
fibrous plaster board
fillers
fire—extinguishers;
 screens;
 tools;
 wood.
fungicides
galvanised fittings
garages
garbage—cans;
 caddies;
 disposal units.
garden—edging;
 loam;
 plastic;
 pots;
 pot supports;
 sand;
 stakes.
garden furniture
garden furniture replacement covers
gas—bottles;
 fittings;
 for use as household fuel;
 for industrial use;
 liquefied petroleum gas;
 liquefied petroleum gas cylinders.
gates
glass
gloves—garden;
 industrial;
 rubber.
gravel and screenings
ground sheets
grout
gully traps
gutter mesh
guttering and down pipe
gypsum board
hand tools
handles
heaters
hinges
hoses and fittings
hot water services
incinerators
insulating materials
insulation tape
kerosene

keys
 labels—letters;
 numerals.
 lacquers
 ladders
 laundry—baskets;
 carts;
 troughs.
 lawn—edgers;
 edging;
 "instant";
 mowers;
 shears.
 lawnmower—blades;
 gaskets;
 spark plugs;
 spare parts.
 letter boxes
 locks
 markers
 measuring tapes
 mechanics' creepers
 metal—cleaners;
 fasteners;
 fittings;
 numerals;
 polish;
 roof decking;
 sheeting;
 other metal products.
 mineral turpentine
 mops
 moss rocks
 mulch—bark;
 scoria;
 other.
 nails
 nuts
 outdoor—cooking equipment;
 furniture.
 paint
 paint rollers
 paving slabs
 peg holders
 pencils
 pens
 pesticides
 picture-frame kits
 pine—bark;
 logs;
 mulch.
 pipes—water;
 sewage.
 plants
 plaster board

plastic—agricultural;
 decorative sheets;
 garden;
 wood.
 plumbers fittings
 potting mix
 power—points;
 plugs;
 tools;
 tool attachments;
 tool spare parts.
 pram wheels
 proprietary veterinary medicines
 pulleys
 pumps—non-automotive
 railway sleepers
 rain gauges
 ridge capping
 roof flashing
 roofing—material;
 tiles.
 roller shutters
 rope and cordage
 roses—ceiling;
 electrical;
 shower.
 sack trucks
 safety equipment for personal use (including boots and shoes)
 sand
 sanitary ware
 sauna—equipment;
 huts.
 saw blades
 screening wire
 screws
 seeds
 seedlings
 shadecloth
 sheds—garden;
 tool.
 shelving constructed of—metal;
 plastic;
 timber.
 shower screens
 shrubs
 signs for—door;
 gate;
 house.
 sinks—kitchen;
 laundry.
 skylights
 sleeping bags
 solid fuel stoves
 solvents
 spa—baths;
 pools;
 tubs.

stains
 staples—electrical;
 wire.
 stock foods
 stone
 swimming pool—chemicals;
 cleaning equipment;
 pumps and other accessories.
 swimming pools
 taps
 tents
 thinners
 tiles—ceiling;
 floor;
 roofing;
 wall.
 timber
 timber board
 trees
 trellises
 troughs—laundry
 tubs
 twine
 vacuum cleaner spare parts
 varnishes
 vents—roof;
 snap;
 wall.
 vices—engineering;
 carpentry;
 pipe.
 wall and ceiling board
 wall paper and substitutes
 washers—fixing;
 tap.
 waste compactors
 water—piping;
 softeners.
 wax applicators
 weedicides
 welders—electric;
 gas.
 welding—electrodes;
 gases;
 rods.
 wheel barrows
 wheels—non-automotive
 winches and pulleys
 windows
 window screens
 wire
 wire netting
 work benches.

SCHEDULE 2

air fresheners
 alarms—burglar;
 fire;
 household.
 antennae—radio;
 television.
 appliance covers
 bags—garbage;
 tidy.
 baking pans
 ballers
 bathroom scales
 batteries—chargers (dry cell);
 dry cell.
 beaters
 beverage sets
 bicycle spare parts and accessories
 biscuit cutters
 blenders
 bread boxes
 broilers—electric;
 pans.
 cake—covers;
 decorating equipment;
 pans.
 canners
 card tables
 carpet—shampooers;
 sweepers.
 casseroles
 cassette and other tapes (audio and video)—blank;
 pre-recorded.
 choppers
 cleavers
 clothes—driers;
 horses;
 racks.
 coffee—grinders;
 makers;
 percolators;
 pots.
 cookware parts
 cooling racks
 corn poppers
 crispers
 crockery
 curtain—accessories;
 fittings.
 cutlery
 cutting boards and blocks
 deep fryers
 dehumidifiers
 deodorisers (non-personal)
 dinnerware
 dippers

dish mops
 disinfectants
 dispensers
 dusters
 dutch ovens
 electric—blankets;
 blenders;
 carving knives;
 fans;
 food choppers;
 food warmers;
 insect destructors;
 irons;
 jugs;
 massagers;
 mixers;
 shavers and other minor appliances.
 fabric—cleaners;
 conditioners.
 food and drink containers for cooling or storage
 forks
 frying pans
 furniture polish
 garbage can liners
 gelatine moulds
 glass cleaners
 glassware
 globes—lights;
 torches.
 griddles
 hair—clippers;
 curlers;
 driers.
 hamburger presses
 hot-plates
 hot and cold surface protectors
 household—funnels;
 measurers;
 scales and balances;
 shears;
 silverware;
 sponges;
 waste tidies.
 icecream makers
 ice crushers
 ironing boards
 juice extractors
 kettles
 kitchen—canisters;
 scales;
 utensils.
 kneeling pads
 knife sharpeners
 knives
 ladles
 light fittings
 meat slicers

mirrors
mixing bowls
openers—bottle;
 can.
oven mitts
paper towels
parers and peelers
pastry cloths
personal grooming aids
photographic parts and components
pitchers
pitters
pot holders
pots
preserving equipment
pressure cookers
radio parts and components
range hoods
records
refrigerator sets
roasters and roasting pans
rolling pins
salt—"High Grade Water Softener"
salt and pepper shakers
sandwich—bags;
 boxes;
 toasters.
saucepans
scissors
scoops
scouring pads
scrapers
servers
shelf and drawer liners
shoe repair materials
skillets
slicers
solid fuel
spice—jars;
 racks.
spatulas and turners
spoons
squeegees
stair tread
strainers
string
tape players
teapots
television parts and components
toasters
toaster ovens
tongs
torches
tumblers
vacuum flasks
vitimizers
waffle irons

wash boards
waste bags
waste baskets
water filter—cartridges;
papers.
whippers
wringers.

13.

APPENDIX

LEGISLATIVE HISTORY

Regulation 6:

substituted by 264, 1999, reg. 3