

South Australia

Shop Trading Hours Regulations 2003

under the *Shop Trading Hours Act 1977*

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Schedule 1—Hardware and building materials

Schedule 2—Hardware and building materials (section 13(5f)(b) of the Act)

Legislative history

1—Short title

These regulations may be cited as the *Shop Trading Hours Regulations 2003*.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Shop Trading Hours Act 1977*.

4—Meaning of hardware and building materials

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.

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

- (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.

6—Closing and fastening of yards

- (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;
 - (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.

7—Section 17 licences

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

8—Expiry

These regulations will expire on 1 September 2007.

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 (painting; clothes; scrubbing; other household use)
buckets
cabinet hardware
camping equipment
castors
cement
cement mixers
ceramic tiles
chain
chamois (natural; synthetic)
cleaners (for use in cleaning bowls; tubs; sinks; floors; walls; drains)
clothes hoists
clothes lines
clothes pegs
coal
coke
charcoal
compost
compost bins
dampcourse of plastic or other material

degreasing compounds
doorbells
door closures
doormats
doors
drill bits
dustpans
earth
earthenware pipes and fittings
electric cables
electric cable fasteners
electric switches
fasteners and catches
feed grains
fertilizers
fibrous cement sheet and articles
fibrous plaster board
fillers
fire extinguishers
fire screens
fire tools
firewood
fungicides
galvanised fittings
garages
garbage cans
garbage caddies
garbage disposal units
garden edging
garden loam
garden plastic
garden pots
garden pot supports
garden sand
garden stakes

garden furniture
garden furniture replacement covers
gas bottles
gas fittings
gas for household use
gas for industrial use
gas (liquefied petroleum gas)
gas cylinders (for liquefied petroleum gas)
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
laundry carts
laundry troughs

lawn edgers
lawn edging
lawn (instant)
lawn mowers
lawn shears
lawnmower blades
lawnmower gaskets
lawnmower spark plugs
lawnmower spare parts
letter boxes
locks
markers
measuring tapes
mechanics' creepers
metal cleaners
metal fasteners
metal fittings
metal numerals
metal polish
metal roof decking
metal sheeting
metal—other metal products
mineral turpentine
mops
moss rocks
mulch (bark; scoria; any other mulch)
nails
nuts
outdoor cooking equipment
outdoor furniture
paint
paint rollers
paving slabs
peg holders
pencils

pens
pesticides
picture frame kits
pine bark
pine logs
pine mulch
pipes (water; sewage)
plants
plaster board
plastic (agricultural; decorative sheets; garden; wood)
plumbers fittings
potting mix
power points
power plugs
power tools
power tool attachments
power tool spare parts
pram wheels
proprietary veterinary medicines
pulleys
pumps (non-automotive)
railway sleepers
rain gauges
ridge capping
roof flashing
roofing material
roofing tiles
roller shutters
rope and cordage
roses (ceiling; electrical; shower)
sack trucks
safety equipment for personal use (eg boots and shoes)
sand
sanitary ware
sauna equipment

sauna huts
saw blades
screening wire
screws
seeds
seedlings
shadecloth
sheds (garden; tool)
shelving constructed of metal
shelving constructed of plastic
shelving constructed of timber
shower screens
shrubs
signs for door
signs for gate
signs for house
sinks (kitchen; laundry)
skylights
sleeping bags
solid fuel stoves
solvents
spa baths
spa pools
spa tubs
stains
staples (electrical; wire)
stock foods
stone
swimming pool chemicals
swimming pool cleaning equipment
swimming pool 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

welding gases

welding rods

wheel barrows

wheels (non-automotive)

winches and pulleys

windows

window screens

wire

wire netting

work benches

Schedule 2—Hardware and building materials (section 13(5f)(b) of the Act)

air fresheners

alarms (burglar; fire; household)
antennae (radio; television)
appliance covers
bags (garbage; tidy)
baking pans
ballers
bathroom scales
batteries (dry cell)
battery chargers (for dry cell batteries)
beaters
beverage sets
bicycle spare parts and accessories
biscuit cutters
blenders
bread boxes
broilers (electric; pans)
cake covers
cake decorating equipment
cake pans
canners
card tables
carpet shampoos
carpet sweepers
casseroles
cassette and other tapes (audio and video) (blank; pre-recorded)
choppers
cleavers
clothes driers
clothes horses
clothes racks
coffee grinders
coffee makers
coffee percolators
coffee pots
cookware parts

cooling racks

corn poppers

crispers

crockery

curtain accessories

curtain fittings

cutlery

cutting boards and blocks

deep fryers

dehumidifiers

deodorisers (non-personal)

dinnerware

dippers

dish mops

disinfectants

dispensers

dusters

dutch ovens

electrical appliances as follows:

- electric blankets
- blenders
- carving knives
- fans
- food choppers
- food warmers
- insect destructors
- irons
- jugs
- massagers
- mixers
- shavers
- other minor appliances

fabric cleaners

fabric 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
hair curlers
hairdriers
hamburger presses
hotplates
hot and cold surface protectors
household funnels
household measurers
household scales and balances
household shears
household silverware
household sponges
household waste tidies
icecream makers
ice crushers
ironing boards
juice extractors
kettles
kitchen canisters
kitchen scales
kitchen 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
sandwich boxes
sandwich toasters
saucepans
scissors
scoops
scouring pads
scrapers
servers
shelf and drawer liners
shoe repair materials

skillets
slicers
solid fuel
spice jars
spice 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
vitamisers
waffle irons
wash boards
waste bags
waste baskets
water filter cartridges
water filter papers
whippers
wringers

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Expiry of regulations

The *Shop Trading Hours Regulations 2003* will expire on 1.9.2007: see r 8.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2003	39	<i>Gazette 17.4.2003 p1768</i>	17.4.2003: r 2
2005	185	<i>Gazette 25.8.2005 p3124</i>	25.8.2005: r 2
2007	216	<i>Gazette 23.8.2007 p3429</i>	31.8.2007: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	25.8.2005
r 8	varied by 185/2005 r 4	25.8.2005