

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)

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#### **1—Short title**

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

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **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 2005.

## 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

**Shop Trading Hours Regulations 2003**

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

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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 shampooers  
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

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

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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

**Shop Trading Hours Regulations 2003**

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

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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

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 17 April 2003

No 39 of 2003

DPC 009/03 CS