

# **NATIONAL RETAIL ASSOCIATION**



**Minister for Regulatory Reform  
Better Regulation Office**

**Shop Trading Hours**

**VIEWS OF THE NATIONAL RETAIL ASSOCIATION IN  
RESPONSE TO THE ISSUES PAPER**

# **IMPROVEMENTS TO THE NSW SHOP TRADING HOURS REGULATORY REGIME**

---

## **Overview of the Organisation**

The National Retail Association ('NRA') is a not-for-profit industry organisation that has been serving the retail industry for over 75 years. The NRA provides professional services to the retail and wider service industry throughout Australia.

It is the pre-eminent, Australia-wide voice of the retail sector, which employs more Australians than any other industry and accounts for almost 20% of the Australian workforce.

There are now over 3700 businesses serviced by NRA. Members range from sole operator enterprises to speciality, chain, and franchise stores of all types and sizes throughout Australia. NRA's members collectively employ over 300,000 Australians.

Our aim is to ensure that businesses within the service sector, whatever their size, have access to specialised knowledge and expertise in order to grow and prosper.

Our key activity is to provide industry-specific professional services that include employment law and industrial relations advice, government relations and issues management, staff development and training, job placement service, property and project services and events and networking.

## **Overview**

NRA believes that there is considerable scope to simplify the NSW Shop Trading Hours Regime. The current regime is the cause of enduring confusion and frustration for our membership and we are constantly asked by members to unravel and justify the current complex arrangements.

## **Specifics**

Membership confusion arises from legitimate concerns members have in ensuring that they comply with trading hours laws or regulations in a range of areas including:

- § Sunday trading arrangements
- § Public holiday trading arrangements
- § Holiday resort arrangements

The highest incidence of enquiry and the greatest level of confusion is related to the regime applicable to "general shops".

## **1. Sunday Trading**

In practical terms our members usually proceed on the assumption that trading on Sundays is allowed from 8am to 8pm. These hours are generally adequate for most general shops, however some particular types of retailers may wish to trade more extended hours if the law permitted. Alternatively some retailers would take the advantage to trade longer hours on specific Sundays if particular events or seasonal factors warranted such a course.

In our assessment there is considerable merit in deregulating trading hours on Sundays. There may be a minimal impact arising from deregulation for retailers which currently trade on Sundays outside the hours of 8am to 8pm. However this impact will be limited to instances and/or locations where “general shops” elect to trade outside these hours. This is not expected to occur in the case of the great majority of retailers and the “on balance” argument strongly favours the rationalization of the Sunday trading regime with deregulation the most sensible option.

## **2. Public Holidays**

We reiterate the general view that the current regime causes constant and unnecessary confusion and there are sound reasons why action should be taken to standardize arrangements. In this regard the logical result would see NSW adopt the Victorian position which prevents trading by the equivalent of “general shops” on three and a half public holidays each year.

## **3. Coverage of the Regulation**

In our view it would be counter-productive, in a regulatory and practical sense, to address deficiencies in the current regime, by expanding the role of the current scheme and by enacting new laws which had the effect of preventing retailers who currently trade on Sundays and Holidays, from continuing to trade.

This in our view would be a retrograde step and contrary to both the consumers and retailers interests. The more appropriate course would be to take measures which reduce or remove confusion, remove anomalies, and implement a level playing field in retail shop trading hours.

## **Conclusion**

The current regulation of shop trading hours for general shops in NSW on Sundays and Public Holidays continues to be a cause of general confusion for both retailers and consumers. The restrictions contribute to inefficiencies in the retail sector, and warrant an unnecessary intervention in the operation of retail markets.

Moreover the operation of the trading hours restrictions come at an on-going administrative and bureaucratic cost which is not justifiable.

NRA believes that the freedom of all retailers to trade during hours necessary to service their own markets and to meet the requirements of their customers is an important economic consideration for the State of New South Wales.

**Contact**

Should further information be required please do not hesitate to contact the NRA as follows:

Gary Black  
Director-Corporate Affairs  
National Retail Association  
395 St Pauls Terrace  
Fortitude Valley Qld 4006

Phone: 07 3251 3000 Fax: 07 3251 3030

Email: [g.black@nra.net.au](mailto:g.black@nra.net.au)