



### National Summary

Public Holidays are governed by the individual Acts of each State and Territory. These Acts allow special public holidays (including additional and substituted public holidays) to be declared by the individual State or Territory.

**Please note that these special, additional or substituted public holiday days may be declared at any time during 2020. The ARA will update this circular to reflect any such declaration.**

#### Entitlements under Awards and National Employment Standards

##### Work performed on public holidays, including substitute and additional days

Employees who are covered by a Modern Award, paid in accordance with that Award (i.e. is not paid a loaded rate under a Contract of Employment or IFA), and who work on days listed as public holidays, regardless of whether they are substitute days or additional days, are entitled to be paid public holiday penalty rates, or receive additional public holiday benefits in accordance with the Modern Award that applies to them.

For most of the ARA members the applicable public holiday entitlements are derived from the *General Retail Industry Award 2010 (GRIA)* or the *Fast Food Industry Award 2010 (FFIA)*. Members can access information about the applicable penalty rates for the GRIA, FFIA and other modern Awards via the [ERMS](#).

Members should note that the GRIA provides that, upon mutual agreement, an employer and employee (other than a casual) may be compensated for a specific public holiday by either:

- an equivalent day or equivalent time off instead without loss of pay; or
- an additional day or equivalent time as annual leave.

If agreement cannot be reached on the method of compensation the employee is entitled to be paid the applicable public holiday penalty rate.

##### Work performed on days that are not public holidays due to substitution

Employees who work on days that are not public holidays, due to a particular State or Territory declaring a substitute day, are entitled to be paid the rate of pay that would ordinarily apply for the day of the week on which the work is performed, and not a public holiday rate.

##### Employees not rostered to work on public holidays, including substitute and additional days

Historically, Awards have set out rules to determine what entitlements particular classes of employee have when their non-working day falls on a public holiday. Under the *GRIA* and the *FFIA* there are no such provisions. This means that the only entitlement that employees have in relation to a public holiday is to a day off without loss of pay. If the employee would not ordinarily work on the day on which the public holiday falls they will not lose pay if they do not work on the public holiday.



### Example

Amy is a full-time employee whose fixed roster is from Tuesday to Saturday. Because Amy does not ordinarily work on a Monday and Sunday, in the event that a public holiday is to fall on a Sunday or Monday, Amy will not be entitled to be paid or be given time in lieu for public holidays which fall on either of those days.

### Employees not rostered to work due to closed days

Throughout Australia there are trading hours restrictions in various States, and areas within particular States, which require retail shops to be closed on certain days. The question that arises in these circumstances is what does this mean for staff who are ordinarily rostered to work those days and are unable to work due to the store being closed?

### Example

Kat is a permanent part time employee working in New South Wales. Kat's fixed roster sets out that she works Tuesday, Thursday and Sunday. Because the store in which Kat works is a shop that is not exempt, and is therefore required to close on Thursday, 25 December, Kat will be unable to work at the store on that day. The options for Kat's employer are:

- Pay Kat for her normal hours which would have been worked on Thursday 25 December at ordinary rates of pay (not including Sunday penalties); or
- Agree with Kat to vary her hours of work so that she completes her usual number of weekly hours on other days during that week.

### Entitlements under Agreements

Businesses who utilise an enterprise agreement, or other similar form of industrial instrument, will need to refer to the relevant provisions of those agreements to determine how work upon public holidays are treated and paid.



## New South Wales

### Public Holidays

In 2020, the following days are observed as public holidays in New South Wales:

Public Holiday	Date Observed
New Year's Day	Wednesday, 1 January
Australia Day <sup>1</sup>	Monday, 27 January
Good Friday	Friday, 10 April
Easter Saturday (the Saturday following Good Friday)	Saturday, 11 April
Easter Sunday	Sunday, 12 April
Easter Monday	Monday, 13 April
Anzac Day	Saturday, 25 April
Queen's Birthday	Monday, 8 June
Labour Day	Monday, 5 October
Christmas Day	Friday, 25 December
Boxing Day	Saturday, 26 December
Additional Day <sup>**</sup>	Monday, 28 December

\*When Australia Day (26 January) falls on a Saturday or a Sunday, there will be no public holiday on that day. The following Monday will be declared a public holiday.

\*\* The *Public Holidays Act 2010* provides for an extra public holiday to be added when New Year's Day, Christmas Day or Boxing Day falls on a weekend.

#### **Local Public Holidays:**

There are also some local public holidays in NSW in certain local areas.

#### **Local Event Days:**

Changes in the declaration of local area event days (such as show holidays) under the *Public Holidays Act 2010* means that these local event days are no longer considered public holidays for the purposes of National Employment Standards and Award entitlements.

***Please note that the above list of gazetted public holidays is subject to change by the New South Wales government and may be updated in accordance with any such changes. Members should continue to check for updated versions of this circular during the course of the year, or contact the ARA Employment Relations team on 1300 368 041 for assistance.***



### Trading Hours Restrictions on Public Holidays

In New South Wales, a shop trading hours are regulated by the *Retail Trading Act 2008*. Retailers operating in New South Wales should note that the following days are restricted trading days:

- Good Friday;
- Easter Sunday;
- Anzac Day (prior to 1pm); and
- Christmas Day.

These restrictions **do not** apply to shops classified as small shops, exempt shops, or those which have been granted an exemption from the requirement to remain closed. However, retailers operating in New South Wales should note that employees of a shop granted an exemption to trade on a restricted day **must freely elect to work on a restricted day without any coercion, harassment, threat or intimidation** by or on behalf of the shop owner.

#### Local area exemptions

Further to this, certain local council areas of New South Wales are exempt from the requirement to remain closed on the days listed above. A list of these areas can be downloaded in the 'local government areas' pdf link [here](#).

#### Small shop exemption

A small shop under the *Retail Trading Act 2008* is identified as follows:

- If the number of people that own the shop does not exceed 2, or one corporation, and the owner or owners of the shop are entitled to the profits from the business; and
- The total number of employees engaged by a small shop must not exceed a total of 4 regular employees, whether working at the same time or different times.

The number of persons engaged in a small shop **does not include**:

- The occupier or occupiers. If the occupier is a corporation, then 2 natural persons who are shareholders of the corporation; or
- Any person engaged in an emergency during the absence from the shop for part of a day of a person who is engaged in the shop on that day; or
- Any person engaged outside the normal working hours of any person engaged on a full-time basis.

A Shop is **not** a small shop if the owner of a shop is a corporation, or a Director of a corporation and is engaged in another business.

#### Exempt Shops

The following shops are exempt shops under the *Retail Trading Act 2008*:

- Bazaars, fairs or markets if the bazaars, fairs or markets are conducted for charitable or public fundraising purpose;
- Book shops;
- Cake and pastry shops;
- Chemists shops;
- Cooked provision shops;



- Florists shops;
- Fruit and vegetable shops;
- News agencies;
- Nurseries;
- Pet shops;
- Recorded music, video or DVD shops;
- Restaurants, cafes or kiosks;
- Seafood shops;
- Shops ancillary to venues for playing sport or physical recreation;
- Souvenir shops;
- Take-away food and drink shops;
- Tobacconists shops; and
- Vehicle shops, vehicle service centres or petrol stations..

#### **Application for exemptions**

Section 10 of the *Retail Trading Act 2008* identifies that the Secretary may grant an exemption to a shop enabling it to trade on restricted days.

In dealing with any application for an exemption, the Secretary **must not** grant an exemption for a shop unless the Secretary is satisfied that there are exceptional circumstances of the case and that it is in the public interest to grant the exemption.

In considering an application, the Secretary must have regard to the following matters:

- (a) The nature of the shops and kind of goods sold,
- (b) The need for the shop to be kept open on the day concerned,
- (c) The likely effect of the proposed exemption on the local economy, tourism and small and other businesses in the area; and
- (d) The likely effect of the proposed exemption on employees of, or persons working in, the shop.

An application must be submitted on the approved form.

#### **Special note: Boxing Day**

Following the exemption introduced in 2015, all retail shops may open for trade on Boxing Day (26 December) on the condition that all employees who work have freely elected to do so, without any coercion, harassment, threat or intimidation by or on behalf of the employer.

***For further information please contact the ARA Employment Relations team on 1300 368 041.***



**Victoria**

**Public Holidays**

In 2020, the following days are observed as public holidays in Victoria:

Public Holiday	Date Observed
New Year's Day	Wednesday, 1 January
Australia Day (26 January is a Sunday, therefore Monday is the public holiday)	Monday, 27 January
Labour Day	Monday, 9 March
Good Friday	Friday, 10 April
Easter Saturday	Saturday, 11 April
Easter Sunday	Sunday, 12 April
Easter Monday	Monday, 13 April
Anzac Day	Saturday, 25 April
Queen's Birthday	Monday, 8 June
AFL Grand Final Friday	Friday, 25 September
Melbourne Cup Day	Tuesday, 3 November*
Christmas Day	Friday, 25 December
Boxing Day	Saturday, 26 December
Additional Day**	Monday, 28 December

\*An alternate local holiday may have been arranged by non-metropolitan municipalities. [Click here](#) for a list of these alternate local holidays. This list will be updated throughout the year. Please call the ARA Employment Relations team on **1300 368 041** if you would like to discuss these public holidays.

\*\* As Boxing Day falls on a Saturday, there is an additional public holiday.

***Please note that the above list of gazetted public holidays is subject to change by the Victorian government and may be updated in accordance with any such changes. Members should continue to check this circular during the course of the year, or contact the ARA Employment Relations team on 1300 368 041 for assistance.***



### **Trading Hours Restrictions on Public Holidays**

Retailers operating in Victoria are restricted from trading on two and a half days each year: These restricted trading days are:

- Good Friday;
- Christmas Day; and
- Between 12.01 am and 1.00 pm on ANZAC Day.

On these particular days, only exempt shops are permitted to open.

#### **Exempt shops:**

Exempt shops are businesses that meet the following criteria:

- they have 20 or fewer persons employed in the shop at any time during a restricted trading day
- the number of persons employed by the business and its related entities is no more than 100 at any time during the 7 days immediately before the restricted trading day

#### **Exemptions to restricted trading days:**

Certain types of business are exempt from any restricted trading days. They can open whenever they wish throughout the year. The types of business that are exempt are:

- chemists;
- petrol shops;
- restaurants;
- cafés;
- takeaway outlets;
- service providers; and
- hire outlets (including video stores).



## Queensland

### Public Holidays

In 2020, the following days are observed as public holidays in Queensland:

Public Holiday	Date Observed
New Year's Day	Wednesday, 1 January
Australia Day	Monday, 27 January
Good Friday	Friday, 10 April
Easter Saturday	Saturday, 11 April
Easter Sunday	Sunday, 12 April
Easter Monday	Monday, 13 April
Anzac Day	Saturday, 25 April
Labour Day	Monday, 4 May
Royal Queensland Show	Wednesday, 12 August**
Queen's Birthday	Monday, 5 October
Christmas Eve	Thursday, 24 December (6pm – midnight)
Christmas Day	Friday, 25 December
Boxing Day	Saturday, 26 December and Monday, 28 December***

\*\* Applies to the City of Brisbane District only.

\*\*\* The *Holidays Act 1983* provides for an extra public holiday to be added when Christmas Day, Boxing Day or New Year's Day falls on a weekend.

#### **Show holidays:**

In addition to these dates, a number of local show holidays (declared for annual agricultural, horticultural or industrial shows) apply in Queensland as public holidays. A list of these holidays can be [found here](#).

***Please note that the above list of gazetted public holidays is subject to change by the Queensland government and may be updated in accordance with any such changes. Members should continue to check this circular during the course of the year, or contact the ARA Employment Relations team on 1300 368 041 for assistance.***





### Trading Hours Restrictions on Public Holidays

The trading hours of shops in Queensland are regulated by way of the *Trading (Allowable Hours) Act 1990* supported by the *Trading (Allowable Hours) Regulation 2004* and various trading hours orders made by the Queensland Industrial Relations Commission.

Restrictions on hours of trade will depend on the classification of shops and, if the shop is classified as a non-exempt shop, where it is located. Shops are classified as:

- exempt shops;
- independent retail shops; or
- non-exempt shops (also look to location).

#### **Exempt Shops:**

Exempt shops have unrestricted trading hours. They may trade 24 hours a day, 7 days a week, 365 days of the year, including all public holidays, and are not required to limit the number of staff they employ.

Exempt shops are those that sell certain goods by retail that a reasonable person would expect to be sold or supplied in such shops. These include:

- antique shop;
- aquarium and aquarium accessories shop;
- art gallery;
- arts and crafts shop;
- bait and tackle shop;
- book shop, newsagency;
- bread shop, cake shop, pastry shop;
- butchers
- camping equipment shop;
- chemist;
- confectionery shop;
- cooked provisions shop (where the provisions are cooked or heated on the premises immediately before sale);
- delicatessen;
- fish shop;
- flower shop;
- fruit and or vegetable shop;
- funeral director's premises;
- hair salon, beauty salon or barber shop;
- ice-cream parlour;
- licensed premises within the meaning of the *Liquor Act 1992* or *Wine Industry Act 1994*;
- marine shop;
- milk bar;
- plant nursery, shop for selling garden plants and shrubs, seeds, garden and landscaping supplies or equipment and associated products;
- pet shop;



- photographic shop;
- premises which are licensed under the *Second-Hand Dealers and Pawnbrokers Act 2003*;
- restaurant, café, refreshment shop;
- service station;
- shop at trade shows and exhibitions
- shop in an international airport, cruise terminal and tourist resorts on offshore islands
- shops at special events such as the Commonwealth Games
- shop for selling motor vehicle spare parts and/or motor cycle parts;
- shop of a class declared by a regulation to be a class of exempt shop;
- soap shop;
- souvenir shop;
- sporting goods shop;
- temperance beverages shop;
- tobacconists;
- toy shop;
- veterinary supplies shop; and
- video cassette shop (blank or pre-recorded).

All shops in the Mossman and Port Douglas Tourist area will be trialed as exempt from trading hours for five years from 31 August 2017.

### Independent Retail Shops:

A business is an **independent retail shop** if:

- The business is run by an individual, partnership or a proprietary company (does not include a related body corporate); and
- The number of people engaged at any one time in the shop (including the owner) is not more than 30; and
- The number of people engaged by the owner of the business in all shops throughout the state is not more than 100 at any one time.

\* This definition excludes exempt shops, offices, shops selling wholly or partly wholesale products or shops selling motor vehicles or caravans or stalls in a market.

Independent retail shops are required to remain **closed** throughout:

- Good Friday;
- ANZAC Day (before 1pm); and
- Christmas Day.

However, independent retail shops that are predominantly food and/or grocery shops are allowed to open.

### A Non-Exempt Shop:

A Non-Exempt Shop is a shop other than an Exempt Shop or Independent Retail Shop.



Non-exempt shops are generally able to trade between 8am and 9pm Monday to Friday and between 8am to 6pm on Saturdays. Non-Exempt Shops in the South East Queensland Area may open from 7am to 9pm Monday to Saturday. Some areas now allow Sunday trade from 9am to 6pm.

Unless the Queensland Industrial Relations Commission orders otherwise, a Non-Exempt Shop must close on:

- Good Friday;
- ANZAC Day;
- Labour Day and
- Christmas Day.

The following table sets out **trading hours restrictions** that generally apply to Non-Exempt Shops throughout Queensland on **Sundays and Public Holidays**:

Area	Sundays	Public holidays
South-East Queensland area (extending north to Noosa, south to Coolangatta and west to Gatton)	9am to 6pm	9am to 6pm  Must remain closed on Good Friday, Anzac Day, Labour Day and Christmas Day.
Area of New Farm of Inner City of Brisbane, Hamilton North Shore Area, Gold Coast Tourist Area, The Great Barrier Reef Wonderland Tourist Complex, the Town of Port Douglas, the Cairns CBD, Pacific Fair Shopping Centre	7am to 9pm	7am to 9pm  Must remain closed on Good Friday, Anzac Day, Labour Day and Christmas Day.
Biloela Area; Bundaberg Area; Cairns Tourist Area; Cooloola Cove Area; Dalby Area; Emerald Area; Fraser Coast Area; Gladstone Area; Gympie Area; Ingham Area; Innisfail Area; Mackay Area; Marian Area; Moranbah Area; City of Rockhampton; Tablelands Area; City of Toowoomba; Townsville and Thuringowa Area (excluding Townsville Tourist Area); Whitsunday Shire Tourist Area; Emu Park Tourist; Area, Stanthorpe Area; Warwick Area; Yeppoon Tourist Area.	9am to 6pm	9am to 6pm  Must remain closed on Good Friday, Anzac Day, Labour Day and Christmas Day.
Tourist and/or seaside resorts	Closed	9am to 6pm  Must remain closed on Good Friday, Anzac Day, Labour Day and Christmas Day.



### Easter Sunday:

Easter Sunday is not a mandatory closed day. Non-exempt shops located in South-East Queensland are therefore able to trade on Easter Sunday, subject to Sunday trading hours (9am-6pm).

### Anzac Day:

Factories, shops and offices are required to close on Anzac Day (25 April), with the following exceptions:

- exempt shops (see above);
- independent retail shops – must remain closed until 1 pm on Anzac Day except if they are a predominantly food and/or grocery store, which can trade unrestricted (see above);
- racing venues (horses or greyhounds);
- offices or agencies of TAB (Qld);
- premises licensed under the Liquor Act 1992 (Qld) or Wine Industry Act 1994 (Qld);
- real estate offices, which may open only for the purpose of rental transactions and must not sell real estate or conduct open house inspections;
- premises engaged in:
  - printing, publishing and distributing newspapers;
  - manufacturing, distributing or supplying gas, electricity or water;
  - necessary continuous manufacturing or mining;
  - essential services;
  - supplying of milk; or
  - manufacturing bread and the preparation of food in restaurants, cafés, pastry cook and hot takeaway food kitchens.

For additional information relating to allowable trading hours over, please [click here](#).



## South Australia

### Public Holidays

In 2020, the following days are observed as public holidays in South Australia:

Public Holiday	Date Observed
New Year's Day	Wednesday, 1 January
Australia Day	Sunday 26 January and Monday, 27 January*
Adelaide Cup Day	Monday, 9 March
Good Friday	Friday, 10 April
Easter Saturday	Saturday, 11 April
Easter Monday	Monday, 13 April
Anzac Day	Saturday, 25 April
Queen's Birthday	Monday, 8 June
Labour Day	Monday, 5 October
Christmas Eve	Thursday, 24 December (7pm-midnight only)
Christmas Day	Friday, 25 December
Proclamation Day Holiday	Monday, 28 December
New Year's Eve	Tuesday, 31 December (7pm-midnight only)

\* The *Holidays Act 1910 (SA)* prescribes that when New Year's Day, Australia Day, and Christmas Day fall on a Sunday there is an additional public holiday observed on the following Monday.

***Please note that the above list of gazetted public holidays is subject to change by the South Australian government and may be updated in accordance with any such changes. Members should continue to check this circular during the course of the year or contact the ARA Employment Relations team on 1300 368 041 for assistance.***



### Trading Hours Restrictions on Public Holidays

The *Shop Trading Hours Act 1977* and *Shop Trading Hours Regulations 2003* regulate the trading hours of retail shops in South Australia's shopping districts.

South Australia's shopping districts consist of:

- the **Greater Adelaide Shopping District**, which is made up of the [Central Business District \(CBD\)](#) [Tourist Precinct](#) (which is consistent with the old definition of "central shopping district"), the Metropolitan Shopping District, and the [Glenelg Tourist Precinct](#); and
- **3 Proclaimed Shopping Districts** located in country areas.
  - Binnum which includes the towns of Binnum, Frances and Kybybolite;
  - Grace which includes the town of Mallala; and
  - Millicent.

In South Australia there are three different types of shops for the purpose of restricted trading: Exempt Shops, Partially Exempt Shops and Non-Exempt Shops.

#### **Exempt shops:**

The following types of shop are exempt from the *Shop Trading Hours Act 1977* (the Act) and are not obliged to observe the trading times set out in the Act:

- a shop with a floor area not exceeding 200m<sup>2</sup>, that does not adjoin a building used as a storeroom with a floor area greater than one-half the floor area of the shop; or
- a shop selling foodstuffs (e.g. a supermarket) with a floor area not exceeding 400m<sup>2</sup>, that does not adjoin a building used as a storeroom with a floor area greater than one-half the floor area of the shop; or
- a shop the business of which is the retail sale of all or any of the goods set out below (regardless of size):
  - cafes, restaurants and take-away food;
  - service stations, licensed under Section 17 of the Act, selling a range of goods common to service stations which could include goods generally stocked by convenience stores;
  - hairdressers;
  - shops in ten pin bowling alleys, squash centres and golf courses;
  - antiques (other than coins or stamps);
  - live fish and aquariums etc;
  - paintings and crafts;
  - bookshops and newsagents;
  - pharmacies;
  - cosmetics;
  - medical and surgical appliances;
  - florists;
  - non-alcoholic drinks, ice-cream, confectionery or light refreshments;
  - pets and accessories;
  - plant nurseries;
  - souvenirs;
  - tobacconists;



- cash-and-carry wholesale warehouses;
- shops at horticultural or agricultural shows;
- short-term charitable, religious or benevolent sponsored shops;
- agricultural machinery;
- fine art, either by auction or on commission;
- caravans and/or trailers;
- any shops that hire out goods rather than sell them (e.g. video hire, machinery hire etc.).

**NOTE:** A shop is not an Exempt Shop by virtue of paragraph (a), (b) or (c) above, unless during the immediately preceding period of seven consecutive trading days of the shop the aggregate price of all goods sold at the shop and that fall within any one or more of the classes of goods referred to in those paragraphs is 80 per cent or more of the aggregate price of all goods sold at the shop during that period.

### Partially Exempt Shops:

A partially exempt shop is a shop that sells **hardware and building materials, furniture, floor coverings or motor vehicle parts and accessories** in the **GASD** or a **Proclaimed Shopping Districts** and has more than 200m<sup>2</sup> of retail floor area. Partially exempt shops may trade:

- until 9pm on weekdays, including part-day public holidays that fall on a weekday;
- until 5pm on Saturdays, including Easter Saturday; and
- from 9am to 5pm on Sundays and full-day public holidays, excluding Good Friday, ANZAC Day (before 1pm) and Christmas Day.

### Non-Exempt Shops:

Shops are non-exempt if they are located in the **Greater Adelaide Shopping District (GASD)** or a **Proclaimed Shopping Districts** and:

- have more than 200m<sup>2</sup> of retail floor area; or
- are a grocery store with more than 400m<sup>2</sup> of retail floor area.

Non-exempt shops in the Central Business District (CBD) Tourist Precinct may trade:

- until 9pm on weekdays, including part-day public holidays that fall on a weekday
- until 5pm on Saturdays, including Easter Saturday; and
- from 11am to 5pm on Sundays and Public Holidays, excluding Good Friday, ANZAC Day (before 1pm) and Christmas Day. This means that shops will be able to trade on Boxing Day and New Year's Day.

Non-exempt shops in the the Metropolitan Shopping District, and the Glenelg Tourist Precinct) may trade:

- until 9pm on weekdays, including part-day public holidays that fall on a weekday;
- until 5pm on Saturdays, including Easter Saturday;
- from 11am to 5pm on Sundays (but not Easter Sunday);
- but not on any full-day public holiday (except Easter Saturday).

Non-exempt shops in **Proclaimed Shopping Districts** may trade:

- until 6pm on weekdays (except Thursdays);
- until 9pm on Thursdays, including part-day public holidays that fall on a Thursday;



- until 5pm on Saturdays (but not Easter Saturday);
- but not on Sundays or any full-day public holiday.

**Shops outside the Greater Adelaide Shopping District:**

Shops outside the Greater Adelaide Shopping District and also outside a Proclaimed Shopping District are exempt and can trade when they choose, including on all public holidays.





## Tasmania

### Public Holidays

In 2020, the following days are observed as public holidays in Tasmania:

Public Holiday	Date Observed
New Year's Day (Statewide)	Wednesday, 1 January
Australia Day	Monday, 27 January
Royal Hobart Regatta (Hobart)	Monday, 10 February*
Eight Hours Day (Statewide)	Monday, 9 March
Good Friday (Statewide)	Friday, 10 April
Easter Monday (Statewide)	Monday, 13 April
Easter Tuesday (Statewide)	Tuesday, 14 April (see below)
Anzac Day (Statewide)	Saturday, 25 April
Queen's Birthday (Statewide)	Monday, 8 June
Recreation Day (Launceston)	Monday, 2 November*
Christmas Day	Friday, 25 December
Boxing Day	Monday, 28 December

\* Whether this day will be a public holiday depends on locality. For example, the Royal Hobart Regatta is generally held in Southern Tasmania, and Recreation Day in Northern Tasmania. A full list of the local public holidays can be [found here](#).

#### **Easter Tuesday:**

Certain workers in government service in Tasmania are entitled to an additional Easter Tuesday public holiday.

***Please note that the above list of gazetted public holidays is subject to change by the Tasmanian government and may be updated in accordance with any such changes. Members should continue to check this circular during the course of the year, or contact the ARA Employment Relations team on 1300 368 041 for assistance.***



### Trading Hours Restrictions on Public Holidays

In Tasmania a shops trading hours are regulated by the *Shop Trading Hours Act 1984*.

Large retailers employing more than 250 employees, or businesses that are part of a franchise agreement entered into or in existence before the commencement of the *Shop Trading Hours Amendment Act (No. 2) 1987*, must not trade:

- on Christmas Day; or
- on Good Friday; or
- before 12:30pm on Anzac Day, unless the shop (exempt shop):
  - is a pharmacy; or
  - news agencies (under a Ministerial order); or
  - is not part of a shopping centre, plaza or mall and the number of persons engaged at the shop as employees or otherwise in the conduct of the business of the shop on any day in the immediately preceding March did not exceed 10; or
  - is a shop, or belongs to a class or group of shops, that the Minister, by order, has declared may be kept open before 12:30pm on Anzac Day.

There are no shop trading restrictions on other types of shops. Additional information relating to Shop Trading hours can be [accessed here](#).

Note that the above restrictions also do not apply to (regardless of size or existence of a franchise agreement):

- any regatta, race meeting, sports meeting, agricultural, pastoral, or horticultural society's show, bazaar, fete, fair, market, or trade exhibition in or at which persons occupy or have the use of barrows, stalls, tables, or other subdivisions from or at which goods are sold, or exposed or offered for sale, by retail; or
- the sale of motor vehicles, to the offering or exposing for sale of motor vehicles, or to the sale of replacement parts required for essential repairs to motor vehicles; or
- premises at which an auction is conducted by a real estate agent, or a general auctioneer, within the meaning of the *Property Agents and Land Transactions Act 2016*, and which are used principally for the conduct of such an auction;
- premises specified in a liquor license or liquor permit granted under the *Liquor and Accommodation Act 1990* and on which liquor is the only or principal class of goods sold; or
- premises in or at which the only or principal business carried on is that of providing meals or cooked food, with or without the accompaniment of any beverage, either being meals or cooked food that are ready for immediate consumption either on the premises or elsewhere; or
- a service station which is used principally for the sale of petroleum products and motor vehicle accessories.

There are no shop trading restrictions on other types of shops



## Western Australia

### Public Holidays

In 2020, the following days are observed as public holidays in Western Australia:

Public Holiday	Date Observed
New Year's Day	Wednesday, 1 January
Australia Day	Monday, 27 January
Labour Day	Monday, 2 March
Good Friday	Friday, 10 April
Easter Monday	Monday, 13 April
Anzac Day	Saturday, 25 April and Monday, 27 April
Western Australia Day	Monday, 1 June
Queen's Birthday	Monday, 28 September**
Christmas Day	Friday, 25 December
Boxing Day	Saturday, 26 December and Monday, 28 December

\*\* Non-metropolitan local authorities may celebrate the Queen's Birthday Public Holiday on an alternative date. The list for regional dates for the Queen's Birthday public holiday can be [found here](#).

***Please note that the above list of gazetted public holidays is subject to change by the Western Australian government and may be updated in accordance with any such changes. Members should continue to check this circular during the course of the year, or contact the ARA Employment Relations team on 1300 368 041 for assistance.***

### Trading Hours Restrictions on Public Holidays

In Western Australia shop trading hours are regulated by the *Retail Trading Hours Act 1987* ("the Act"). The Act applies to shops located south of the 26th parallel of latitude, i.e. south of Shark Bay).

Under the Act there are four types of shops for the purpose of trading regulations: small retail shops, special retail shops, general retail shops and filling stations.

#### **Small Retail Shops:**

A Small Retail Shop is basically one that is owned by up to six people who operate no more than four retail shops' in which up to 25 people work at any one time (excluding apprentices).

A Small Retail Shop may be open at any time.



Small shops **must** be certified as a small shop for the purposes of the legislation. Therefore, if you wish to trade as a Small Retail Shop you must apply for a certificate from the Department of Commerce.

**Special Retail Shops:**

Special Retail Shops are considered necessary for emergency, convenience or recreation goods. These include:

- News agencies and bookshops;
- Pharmacies;
- Garden nurseries;
- Hardware and Home Improvement shops;
- Video shops;
- Art and craft shops;
- Souvenir and duty-free shops;
- Shops at sports venues;
- Marine craft shops;
- Motor vehicle spare parts shops; and
- Shops at international standard hotels.

A Special Retail Shop may trade between 6am and 11.30pm all year.

Special Retail shops **must** be certified as a special retail shop for the purposes of the legislation. Therefore, if you wish to trade as a Special Retail Shop you must apply for a certificate from the Department of Commerce.

**General Retail Shops:**

A General Retail Shop is any shop that is not a small retail shop, a special retail shop or a filling station.

A General Retail Shop cannot open on public holidays, subject to the exemptions detailed below.

A General Retail Shop has usually been required to observe the following trading hours restrictions:

Area	Monday-Friday	Saturday	Sunday	Public Holiday
(including former Rockingham Holiday Resort and Wanneroo Holiday Resort) *	8am to 9pm	8am to 5pm	11am to 5pm	11am to 5pm <b>(closed on Good Friday, ANZAC Day and Christmas Day)</b>
<a href="#">City of Mandurah</a>	8am to 6pm 8am to 9pm (Thursdays)	8am to 6pm	10am to 5pm	10am to 5pm <b>(closed on Good Friday, ANZAC Day and Christmas Day)</b>



<a href="#">Bunbury</a>	Fully deregulated	Fully deregulated	Fully deregulated	Fully deregulated <b>(closed on Good Friday, ANZAC Day and Christmas Day)</b>
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**Exceptions and Extensions:**

Members should note that the trading hours legislation **does not apply to shops located above the 26th parallel of south latitude** and does not cover restaurants, cafes or takeaway food shops, or retail shops located in public passenger terminals or stations where public transport services are running.

Please also note that shops located **outside the Perth Metropolitan Area and below the 26th parallel of south latitude** are subject to Shire rules and, in some cases, specific trading hours orders. Please contact your local Shire for further information on trading hours over this period.

Please [see here](#) for more information in relation to retail trading hours in Western Australia.



## Australian Capital Territory

### Public Holidays

In 2020, the following days are observed as public holidays in the ACT:

Public Holiday	Date Observed
New Year's Day	Wednesday, 1 January
Australia Day	Monday, 27 January
Canberra Day	Monday, 9 March
Good Friday	Friday, 10 April
Easter Saturday	Saturday, 11 April
Easter Sunday	Sunday, 12 April
Easter Monday	Monday, 13 April
Anzac Day	Thursday, 25 April and Monday, 27 April*
Reconciliation Day	Monday, 1 June
Queen's Birthday	Monday, 8 June
Labour Day	Monday, 5 October
Christmas Day	Friday, 25 December
Boxing Day	Thursday, 26 December and Monday, 28 December**

\* Monday 27 April 2020 has been declared a public holiday by the Minister for Employment and Workplace Safety. The 27 April 2020 public holiday is in addition to the ANZAC Day public holiday on 25 April 2020.

\*\* In accordance with the *Holidays Act 1958 (ACT)*, as 26 December (Boxing Day) falls on a Saturday in 2020, there is an additional public holiday on the Monday.

***Please note that the above list of gazetted public holidays is subject to change by the ACT government and may be updated in accordance with any such changes. Members should continue to check this circular during the course of the year, or contact the ARA Employment Relations team on 1300 368 041 for assistance.***

### Trading Hours Restrictions on Public Holidays

Trading hours in the ACT are wholly deregulated and shops may open at any time, including on the aforementioned public holidays.



## Northern Territory

### Public Holidays

In 2020, the following days are observed as public holidays in the Northern Territory:

Public Holiday	Date Observed
New Year's Day	Wednesday, 1 January
Australia Day	Monday, 27 January
Good Friday	Friday, 10 April
Easter Saturday	Saturday, 11 April
Easter Monday	Monday, 13 April
Anzac Day	Saturday, 25 April
May Day	Monday, 4 May
Queen's Birthday	Monday, 8 June
Picnic Day	Monday, 3 August
Christmas Eve	Tuesday, 24 December (7pm-midnight only)
Christmas Day	Friday, 25 December
Boxing Day	Monday, 28 December
New Year's Eve	Thursday, 31 December (7pm-midnight only)

***Please note that the above list of gazetted public holidays is subject to change by the NT government and may be updated in accordance with any such changes. Members should continue to check this circular during the course of the year or contact the ARA Employment Relations team on 1300 368 041 for assistance.***

### Trading Hours Restrictions on Public Holidays

Trading hours in the NT are wholly deregulated and shops may open at any time, including on the aforementioned public holidays.