



TRADING HOURS SUMMARY: CHRISTMAS AND NEW YEAR 2016 / 2017

AS AT November 29 2016

This fact sheet provides information about trading hours and public holidays for retail stores during the Christmas and New Year period for 2016/2017.

What are the Gazetted Public Holidays?

The following table sets out the days that have been declared and gazetted as public holidays throughout Australia.

State or Territory	Sunday 25 December	Monday 26 December	Tuesday 27 December	Sunday 1 January	Monday 2 January
VIC	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday	New Year's Day Public Holiday	New Year's Day Public Holiday
NSW	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday	New Year's Day Public Holiday	New Year's Day Public Holiday
ACT	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday	New Year's Day Public Holiday	New Year's Day Public Holiday
QLD	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday	New Year's Day Public Holiday	New Year's Day Public Holiday
WA	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday	New Year's Day Public Holiday	New Year's Day Public Holiday
TAS	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday	New Year's Day	New Year's Day Public Holiday
NT	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday	New Year's Day Public Holiday	New Year's Day Public Holiday

South Australia

	Saturday 24 December	Sunday 25 December	Monday 26 December	Tuesday 27 December	Saturday 31 December	Sunday 1 January	Monday 2 January
SA	Christmas Eve (part day) (7pm-midnight) Public Holiday	Christmas Day Public Holiday	Christmas Day Public Holiday	Proclamation Day Public Holiday	New Year's Eve (part day) (7pm-midnight) Public Holiday	New Year's Day Public Holiday	New Year's Day Public Holiday

What Public Holiday Entitlements apply to my employees?

Under the *General Retail Industry Award 2010* and the *Fast Food Industry Award 2010* ('the Awards') any work performed on any of the days listed as public holidays above (whether it is the actual, substituted, additional day or part-day) are paid at the appropriate public holiday penalty rate. Please refer to the NRA produced wage summaries for the current rates.

The *General Retail Industry Award 2010* also provides that employees may, by mutual agreement, receive in lieu of the appropriate public holiday penalty either:

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

There is not a similar provision under the *Fast Food Industry Award 2010*.

Under the National Employment Standards ('the NES'), employees are entitled to be absent on a public holiday unless the employer has requested the employee to work and the request is reasonable. An employee can only refuse a reasonable request to work if the employee's refusal is reasonable.

Factors that will be considered in determining whether a request or refusal is reasonable are:

- The nature of the workplace (including its operational requirements) and the nature of the work performed by the employee;
- The employee's personal circumstances, including family responsibilities;
- Whether the employee could reasonably expect to be requested to work on the public holiday;
- Penalty rates payable;
- The type of employment – full time, part time or casual;
- Amount of notice given of the request to work;
- The amount of notice given by an employee in advance in regard to refusing a request to work.

Under the NES, if an employee is absent on a day or part-day that is a public holiday, the employer must pay the employee at the employee's base rate of pay for their ordinary hours of work on that day or part day. This provision does not apply to casual employees or part time employees who are not ordinarily rostered to work. For example, a full time employee may ordinarily work 8 hours on a particular public holiday but because of the holiday have only been rostered to work 4 hours. In this situation, the employee would be paid at public holiday rates for 4 hours and receive payment for the other 4 hours they would have ordinarily worked at ordinary rates of pay.

Please note that if a public holiday falls on an employee's non-working day, the employee is not entitled to any public holiday benefits under the Awards or the NES. This is a change to the public holiday entitlements under many of the old NAPSAs and pre-reform awards that often provided a day off in lieu or an extra day's wages under these circumstances.

For those employees who employ their employees under a pre-reform certified agreement, AWA, ITEA, workplace agreement or enterprise agreement you will need to refer to the terms of these instruments to determine how these employees need to be paid.

TRADING HOURS RESTRICTIONS

Trading hour restrictions, in part or whole, apply to particular types of shops and in some cases the location of the shops in specified areas of the certain states. For further information or if you need assistance in understanding the classification of your business, and the impact this classification has on trading hours, please contact the NRA for clarification. Further information is also available within the NRA National Trading Hours Fact Sheet.

AUSTRALIAN CAPITAL TERRITORY – TRADING HOURS

Trading hours are deregulated in the ACT and therefore there are no trading restrictions on these days.

ACT	Sunday 25 December	Monday 26 December	Tuesday 27 December	Sunday 1 January	Monday 2 January
Public Holidays	Christmas Day Public Holiday	Boxing Day Public Holiday	*Christmas Day Public Holiday	New Year's Day Public Holiday	*New Year's Day Public Holiday
Trading hours	No restrictions but stores would generally close.	No restrictions	No restrictions	No restrictions	No restrictions

**An additional holiday has been granted for Christmas Day and New Year's Day*

NORTHERN TERRITORY – TRADING HOURS

Trading hours, in Northern Territory, are deregulated however, individual restrictions may apply to certain shopping centres as set by Centre Management. The trading hours for the sale of liquor products, however, are regulated.

NT	Sunday 25 December	Monday 26 December	Tuesday 27 December	Sunday 1 January	Monday 2 January
Public Holidays	Christmas Day Public Holiday	Boxing Day Public Holiday	*Christmas Day Public Holiday	New Year's Day Public Holiday	*New Year's Day Public Holiday
Trading hours	No restrictions but stores would generally close.	No restrictions	No restrictions	No restrictions	No restrictions

**An additional holiday has been granted for Christmas Day and New Year's Day*

TASMANIA – TRADING HOURS

Trading hours, in Tasmania, are predominantly deregulated and during this period, 25 December 2016 is the only closed day for major retailers or franchise groups.

TAS	Sunday 25 December	Monday 26 December	Tuesday 27 December	Sunday 1 January	Monday 2 January
Public Holidays	Christmas Day Public Holiday	Boxing Day Public Holiday	*Christmas Day Public Holiday	New Year's Day	*New Year's Day Public Holiday
Trading hours	Closed for major retailers or franchise groups employing more than 250 employees. Other retailers have no restrictions	No restrictions	No restrictions	No restrictions	No restrictions

*An additional holiday has been granted for Christmas Day and New Year's Day

QUEENSLAND – TRADING HOURS

Trading hour's restrictions in Queensland vary depending on the type of shop and the location of the shop.

Further information in relation to the classifications is available within the NRA National Trading Hours Fact Sheet available through our website. If you need further assistance in understanding the classification of your business, and the impact this classification has on trading hours, please contact the NRA for clarification.

QLD	Sunday 25 December	Monday 26 December	Tuesday 27 December	Sunday 1 January	Monday 2 January
Public Holidays	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday *	New Year's Day Public Holiday	New Year's Day Public Holiday*
Trading hours Exempt Shops	No restrictions	No Restrictions	No Restrictions	No Restrictions	No Restrictions
Trading Hours Independent Shops	CLOSED (except independent grocery shops)	No Restrictions	No Restrictions	No Restrictions	No Restrictions
Trading Hours Non-exempt Shops	CLOSED	Public holiday trading hours in most areas of the state **	Public holiday trading hours in most areas of the state **	Public holiday trading hours in most areas of the state **	Public holiday trading hours in most areas of the state **

*An additional holiday has been granted for Christmas Day and New Year's Day

** A detailed NRA member fact sheet is available on request

NEW SOUTH WALES – TRADING HOURS

Retail trading hours in New South Wales are predominantly deregulated and during this period, Christmas Day is the only restricted trading day.

NSW	Sunday 25 December	Monday 26 December	Tuesday 27 December	Sunday 1 January	Monday 2 January
Public Holidays	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday*	New Year's Day Public Holiday	New Year's Day Public Holiday*
Trading hours	CLOSED except for exempt shops**	No restrictions	No restrictions	No restrictions	No restrictions

*An additional holiday has been granted for Christmas Day and New Year's Day

** Further information including the definition of an exempt shop is available within the NRA National Trading Hours Fact Sheet available through our website. If you need further assistance in understanding the classification of your business, and the impact this classification has on trading hours, please contact the NRA for clarification.

VICTORIA – TRADING HOURS

Trading hours in Victoria are predominantly deregulated and during this period Christmas Day is the only closed day.

VICTORIA	Sunday 25 December	Monday 26 December	Tuesday 27 December	Sunday 1 January	Monday 2 January
Public Holidays	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday*	New Year's Day Public Holiday	New Year's Day Public Holiday**
Trading hours	CLOSED except for exempt shops***	No restrictions	No restrictions	No restrictions	No restrictions

*A substituted public holiday has been granted for Christmas Day

** An additional public holiday has been granted for New Year's Day

*** Further information including the definition of an exempt shop is available within the NRA National Trading Hours Fact Sheet available through our website. If you need further assistance in understanding the classification of your business, and the impact this classification has on trading hours, please contact the NRA for clarification.

SOUTH AUSTRALIA – TRADING HOURS

Trading hour’s restrictions in South Australia vary depending on the type of shop and the location of the shop.

Retail trading hours in South Australia's shopping districts consist of:

1. CBD Tourist Precinct;
2. Greater Adelaide Shopping District;
3. [35 Proclaimed Shopping Districts](#) located in country areas;
4. Partially exempt; and
5. Area outside the proclaimed district.

Shops outside the Greater Adelaide Shopping District and also outside a Proclaimed Shopping District are exempt and have no trading restrictions, including on all public holidays.

SA	Saturday 24 December	Sunday 25 December	Monday 26 December	Tuesday 27 December	Saturday 31 December	Sunday 1 January	Monday 2 January
Public Holidays	Part Day Public Holiday: 7pm-midnight	Christmas Day Public Holiday	Christmas Day Public Holiday	Proclamation Day Public Holiday	Part Day Public Holiday: 7pm-midnight	New Year's Day Public Holiday	New Year's Day Public Holiday
1 Trading hours of Shops in the CBD Tourist Precinct – non-exempt	Until 5pm	Closed	11am to 5pm	11am to 5pm	Until 5pm	11am to 5pm	11am to 5pm
2 Trading Hours of Shops in the Greater Adelaide Shopping District (excluding CBD Tourist Precinct) & In Proclaimed country shopping districts – non-exempt	Until 5pm	Closed	Closed	TBA	Until 5pm	Closed	Closed
3 Trading Hours of Shops in Proclaimed Shopping Districts – non-exempt	Until 5pm	Closed	Closed	TBA	Until 5pm	Closed	Closed
4. Partially exempt Shops i.e. the retail sale of hardware and building materials, furniture, floor coverings and motor vehicle parts and accessories	Until 5pm	Closed	9am to 5pm	TBA	Until 5pm	9am to 5pm	9am to 5pm
5. Exempt Shops and Shops in Regional Districts Where Trading Hours have been Deregulated	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted

Additional Christmas Hours –finalised

Every year the SA Government gazettes extended trading hours for non-exempt shops in the greater Adelaide Shopping District. For 2016, it is anticipated that affected retailers will be able to trade extra hours.

Government approved additional hours are highlighted in blue.

2016	Adelaide CBD	Metro & Glenelg	Country Districts
Sunday 27 November	9.00 am to 11.00 am	9.00 am to 11.00 am	
Sunday 4 December	9.00 am to 11.00 am	9.00 am to 11.00 am	
Sunday 11 December	9.00 am to 11.00 am	9.00 am to 11.00 am	
Thursday 15 December	9.00 pm Until Midnight	9.00 pm Until Midnight	Until 9.00 pm
Sunday 18 December	9.00 am to 11.00 am	9.00 am to 11.00 am	Closed
Thursday 22 December	9.00 pm Until Midnight	9.00 pm Until Midnight	Until 9.00 pm
Friday 23 December	9.00 pm Until Midnight	9.00 pm Until Midnight	Until 6.00 pm
Sunday 25 December	Closed	Closed	Closed
Monday 26 December	11.00 am to 5.00 pm	Closed	Closed
Tuesday 27 December	9.00 am to 11.00 am	9.00 am to 5.00 pm	Closed
Sunday 1 January	11.00 am to 5.00 pm	Closed	Closed
Monday 2 January	9.00 am to 11.00 am	9.00 am to 5.00 pm	Closed

Regional Shopping Districts

Local government authorities in SA can request that the Minister deregulate trading hours in their particular district.

As a result, trading hours in almost all of South Australia’s regional centres have been deregulated and all shops can trade whichever hours they wish. Towns where shopping hours have been deregulated include:

Angaston, Port Pirie, Pt Augusta, Gawler, Quorn, Hawker, Murray Bridge, Berri, Mt Barker, Renmark, Waikerie, Jamestown, Loxton, Clare, Victor Harbour and Mt Gambier. A full list of deregulated shopping districts is available from the National Retail Association.

WESTERN AUSTRALIA – TRADING HOURS

Trading hour’s restrictions in Western Australia vary depending on the type of shop and the location of the shop.

The *Retail Trading Hours Act* applies to retail shops in Western Australia, south of the 26th parallel (Shark Bay region). The trading hours of shops located north of the [26th parallel](#) are not regulated and there are no restrictions on trading hours;

Unless special arrangements apply in particular local government areas south of the 26th parallel (excluding Perth), *general retail shops* are not permitted to open on Sundays and public holidays. Special trading hours have been set down by the WA Government for the 2016/2017 Christmas/ New Year period as outlined below.

Local government authorities outside the Perth metropolitan area can apply to Consumer Protection to extend the trading hours for general retail shops in their district beyond those stipulated in the Act.

WA	Sunday 25 December	Monday 26 December	Tuesday 27 December	Sunday 1 January	Monday 2 January
Public Holidays	Christmas Day Public Holiday	Boxing Day Public Holiday	Christmas Day Public Holiday	New Year's Day Public Holiday	New Year's Day Public Holiday
Trading hours - General Retail Shops in the Perth Metropolitan Area	Closed	8am to 6pm	8am to 6pm	8am to 6pm	8am to 6pm
Trading hours - Special Retail Shops	6am to 11:30pm	6am to 11:30pm	6am to 11:30pm	6am to 11:30pm	6am to 11:30pm
Trading hours - Small Retail Shops; All Shops located north of the 26 th parallel	No restrictions	No restrictions	No restrictions	No restrictions	No restrictions
Trading hours - Regional and Local Government Areas	Call National Retail Association for Further information				

Local Government Areas

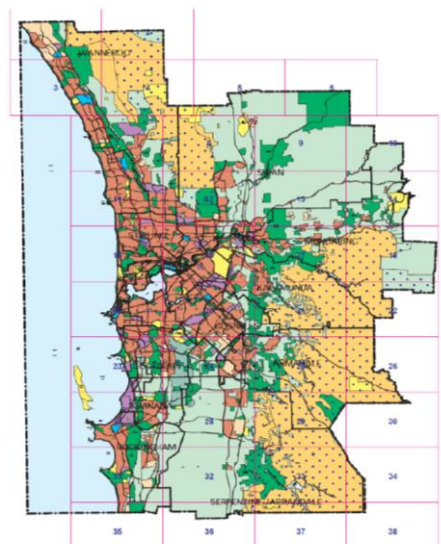
Local government authorities outside the Perth metropolitan area can apply to Consumer Protection to extend the trading hours for general retail shops in their district beyond those stipulated in the Act.

Area	Area	Area
CITY OF ALBANY	SHIRE OF AUGUSTA - MARGARET RIVER	SHIRE OF BOYUP BROOK
CITY OF BUNBURY	SHIRE OF BUSSELTON	SHIRE OF CAPEL
SHIRE OF COLLIE	SHIRE OF COOLGARDIE	SHIRE OF DANDARAGAN
SHIRE OF DARDANUP	SHIRE OF DENMARK	SHIRE OF DONNYBROOK- BALINGUP
SHIRE OF DUNDAS	SHIRE OF ESPERANCE	SHIRE OF GINGIN
SHIRE OF HARVEY	SHIRE OF IRWIN	CITY OF KALGOORLIE-BOULDER
SHIRE OF KULIN	SHIRE OF LEONORA	CITY OF MANDURAH
SHIRE OF MANJIMUP	SHIRE OF MINGENEW	SHIRE OF MOORA
SHIRE OF MURRAY	SHIRE OF NAREMBEEN	SHIRE OF NORTHAM
SHIRE OF NORTHAMPTON	SHIRE OF PLANTAGENET	SHIRE OF YORK

2016 - 2017 Christmas / January extended trading hours Perth metropolitan area

Perth consumers will get 50 extra retail trading hours this year to do their Christmas shopping and take full advantage of the Boxing Day sales.

Starting from Monday, December 5, weekday retail trading will be extended one hour with general retail shops in the Perth metropolitan area allowed to open at 7am instead of 8am until Tuesday, January 3, 2017, when normal hours resume.



2016-17 Trading Hours	
<i>General Retail Shops in the Perth Metropolitan Area, WA</i>	
Monday, December 5	7am-9pm
Tuesday, December 6	7am-9pm
Wednesday, December 7	7am-9pm
Thursday, December 8	7am-9pm
Friday, December 9	7am-9pm
Saturday, December 10	7am-6pm
Sunday, December 11	8am-6pm
Monday, December 12	7am-9pm
Tuesday, December 13	7am-9pm
Wednesday, December 14	7am-9pm
Thursday, December 15	7am-9pm
Friday, December 16	7am-9pm
Saturday, December 17	7am-6pm
Sunday, December 18	8am-6pm
Monday, December 19	7am-9pm
Tuesday, December 20	7am-9pm
Wednesday, December 21	7am-9pm
Thursday, December 22	7am-9pm
Friday, December 23	7am-9pm
Saturday, December 24	7am-6pm
Sunday, December 25	CLOSED (Christmas Day)
Monday, December 26	8am-6pm (Boxing Day)
Tuesday, December 27	8am-6pm (Public Holiday)
Wednesday, December 28	7am-9pm
Thursday, December 29	7am-9pm
Friday, December 30	7am-9pm
Saturday, December 31	7am-6pm
Sunday, January 1	8am-6pm (New Year's Day)
Monday, January 2	8am-6pm (Public Holiday)
Tuesday, January 3	8am-9pm (normal trading hours resume, except for Australia Day)
Thursday, January 26	8am-6pm (Australia Day)

For more information

Phone: 1800 RETAIL (738 245) | Email: info@nra.net.au

IMPORTANT INFORMATION

The information contained in this fact sheet is accurate at the time of distribution to you. Award conditions and industrial relations laws change regularly, however, and you should ensure that you maintain your copy of this fact sheet in an up to date form. Any revised fact sheets issued will be available at www.nra.net.au. The information contained in this fact sheet is not a substitute for independent professional advice. You should obtain any appropriate professional advice relevant to your particular circumstances.