



The Hon Jarrod Bleijie MP  
Attorney-General and Minister for Justice

In reply please quote: 2185507

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06 JUN 2013

Mr Neil Laurie  
Clerk of the Parliament  
Queensland Parliamentary Service  
Parliament House  
Corner George and Alice Streets  
BRISBANE QLD 4000

Dear Mr Laurie

A handwritten signature in black ink that reads "Neil".

I refer to Petition No. 2103 - 13 presented by the Honourable Dr John McVeigh MP Member for Toowoomba South, on behalf of the principal petitioner, Mr Robert John Carroll, and received by the Legislative Assembly on 1 May 2013. I apologise for the lateness of this response. Due to an administrative oversight within the Department of Justice and Attorney-General the response was not prepared by the tabling deadline of 31 May 2013.

The petitioners call on Parliament to amend the *Trading (Allowable Hours) Act 1990* (the Act) to allow on Sundays the exhibition, taking of orders or selling of goods in regards to camper trailers, caravans, motor homes, motor vehicles and trucks.

In Queensland, allowable trading hours for shops are regulated by the Act and by orders made by an independent tribunal, the Queensland Industrial Relations Commission (QIRC).

The QIRC decides allowable trading hours for shops selling particular types of goods or in particular areas. In this regard, the QIRC has made orders for the sale of motor vehicles and caravans – the Trading Hours - Non-Exempt Shops Selling Motor Vehicles – State Order and the Trading Hours - Non-Exempted Shops Selling Caravans – State Order. Those orders provide for allowable trading hours in the sale of those goods Monday to Saturday but do not allow trading on Sundays.

The Act provides that a person must not exhibit, take an order for the sale of goods by retail or sell goods by retail at a locality on a day or during hours when a non-exempt shop in which the goods are sold at the locality would be required under the Act to be closed. However, the sale of such goods at a time when shops selling those goods must be closed (e.g. on a Sunday) is permitted under the authority of an order made by the QIRC for special exhibitions or special displays.

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When deciding trading hours orders for non-exempt shops and for special exhibitions and special displays, the QIRC balances consideration of submissions received from interested parties such as business organisations, unions, community groups and local government authorities. The process of deciding trading hours in Queensland through the independent tribunal of the QIRC provides for fair, unbiased and effective consideration of community and business interests.

The petitioners concerns in regards to regulation prohibiting the sale of certain goods on a Sunday are acknowledged. I am also informed, however, that other industry stakeholders, in particular the Caravan Trade and Industries Association of Queensland, are supportive of the maintenance of the current trading hours arrangements and are apprehensive in regards to exhibitions being conducted on Sunday, a day on which their establishments are not permitted to trade. In addition, there is a process by which exemptions can be obtained from the trading hours restrictions. I understand that recent orders from the QIRC have been obtained to permit trading - including Sunday trading - at special exhibitions held each year in Mackay, Cairns, the Gold Coast, Toowoomba, Wide Bay and the Fraser Coast, Rockhampton and Townsville.

Finally, the Queensland Competition Authority (QCA) in its February 2013 final report 'Measuring and Reducing the Burden of Regulation' has recommended reform in the area of trading hours regulation. The Queensland Government is currently considering those recommendations.

Given the contrary view of other industry stakeholders to that posed in the petition, there is a process by which exemptions to trading hours restrictions can be sought and in light of the Government's consideration of the recommendations in final report of the QCA, which includes a recommendation in relation to trading hours regulation, the Government does not intend to make any amendments to trading hours regulation as a result of the current petition.

Should your officers wish to discuss this matter further, please contact Mr Tony James, Executive Director, Private Sector Industrial Relations on 3225 2353.

Yours sincerely



**JARROD BLEIJIE MP**  
Attorney-General and Minister for Justice