

FACT SHEET

Anzac Day Observance Amendment Bill 2018

The Anzac Day Observance Amendment Bill 2018 amends the *Anzac Day Observance Act 1929* and the *Shop Trading Hours Act 1984* to bring all legislative provisions relating to activities that can be undertaken on Anzac Day into one Act.

The *Anzac Day Observance Act 1929* provides for how Anzac Day is observed.

The Act restricts a range of activities, including sporting events, race meetings, entertainment, agricultural shows, markets and fairs from being undertaken before 12.30pm on Anzac Day.

The purpose of the restrictions is to recognise the significance of Anzac Day and to enable people who would otherwise be required to work or participate in certain events to attend Dawn Services and other commemorative services later in the day.

The Act is, however, silent regarding shop trading on Anzac Day.

The *Shop Trading Hours Act 1984* regulates shop trading hours including on Anzac Day.

Following a review of the Anzac Day trading restrictions in 2015, it was found that there was benefit in including shop trading provisions for Anzac Day in the *Anzac Day Observance Act*. This would enable all legislative provisions relating to Anzac Day to be in the one piece of legislation.

The Anzac Day Observance Amendment Bill transfers the provisions of the *Shop Trading Hours Act 1984* that relate to Anzac Day to the *Anzac Day Observance Act 1929*.

The Returned and Services League Tasmania Branch supports the amendments, as do the Tasmanian Independent Grocers.

The effect of the provisions will not change as a result of these amendments.

The existing powers and function of WorkSafe Tasmania Inspectors as they relate to shop trading on Anzac Day will continue.

The only change that will be made as a result of the amendment is that exemptions to the provisions will be made by notice rather than Order.

Under the current provisions of the *Shop Trading Hours Act*, exemptions are made by Order. This requires drafting of the Order by the Office of Parliamentary Council, ministerial approval and gazetting between the date the applications close – usually the end of March – and Anzac Day. This can be challenging in any year but particularly so when Anzac Day falls within the Easter period. Approving exemptions through notice has the same effect and approval process but a shorter timeline.