



PUBLIC HOLIDAYS AND TRADING HOURS - Easter and ANZAC DAY 2017

AS AT FEBRUARY 2017

This fact sheet provides information about public holidays and trading hours for Easter and ANZAC Day 2017.

WHAT ARE THE GAZETTED PUBLIC HOLIDAYS?

State/ Territory	Friday 14 April 2017	Saturday 15 April 2017	Sunday 16 April 2017	Monday 17 April 2017	Tuesday 25 April 2017
VIC	Good Friday Public Holiday	Easter Saturday Public Holiday	Easter Sunday Public Holiday	Easter Monday Public Holiday	Anzac Day Public Holiday
NSW	Good Friday Public Holiday	Easter Saturday Public Holiday	Easter Sunday Public Holiday	Easter Monday Public Holiday	Anzac Day Public Holiday
ACT	Good Friday Public Holiday	Easter Saturday Public Holiday	Easter Sunday Public Holiday	Easter Monday Public Holiday	Anzac Day Public Holiday
QLD	Good Friday Public Holiday	Easter Saturday Public Holiday	Easter Sunday Public Holiday	Easter Monday Public Holiday	Anzac Day Public Holiday
SA	Good Friday Public Holiday	Day after Good Friday Public Holiday	Not a Public Holiday	Easter Monday Public Holiday	Anzac Day Public Holiday
WA	Good Friday Public Holiday	Not a Public Holiday	Not a Public Holiday	Easter Monday Public Holiday	Anzac Day Public Holiday
TAS	Good Friday Public Holiday	Not a Public Holiday	Not a Public Holiday	Easter Monday Public Holiday	Anzac Day Public Holiday
NT	Good Friday Public Holiday	Easter Saturday Public Holiday	Not a Public Holiday	Easter Monday Public Holiday	Anzac 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 a gazetted public holiday (including a substituted or additional day) is paid at the appropriate public holiday penalty rate.

The *General Retail Industry Award 2010* also provides that employees and employers may agree to the employee being compensated in lieu of the appropriate public holiday penalty by either:

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

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; and
- 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 that day. 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 employers 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 more 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.

TRADING HOURS – VICTORIA

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED (Unless exempt shop)
Saturday, 15 April 2017	No Restrictions
Sunday, 16 April 2017	No restrictions
Monday, 17 April 2017	No restrictions
Tuesday, 25 April 2017	CLOSED between 12:01am and 1 pm (unless exempt shop)

If you are unsure of whether your shop is exempt, contact the Employment Law Division or refer to the NRA's Trading Hours – National Summary fact sheet (available from www.nra.net.au).

Please note, under the *Anzac Day Act 1958*, businesses in Victoria are restricted from offering some forms of entertainment to customers prior to 1.00pm. This means that business owners must exercise caution if using radios or televisions in their stores. The NRA recommends only using radios and televisions to broadcast commemorative material during this time.

TRADING HOURS - NEW SOUTH WALES

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED (unless exempt shop, small shop or exempt area)
Saturday, 15 April 2017	No Restrictions
Sunday, 16 April 2017	CLOSED (unless exempt shop, small shop or exempt area)
Monday, 17 April 2017	No restrictions
Tuesday, 25 April 2017	CLOSED between 12:01am and 1 pm (unless exempt shop, small shop or exempt area)

If you are unsure of whether your shop is exempt, contact the Employment Law Division or refer to the NRA's Trading Hours – National Summary fact sheet (available from www.nra.net.au).

TRADING HOURS – AUSTRALIAN CAPITAL TERRITORY

Day	Trading Restrictions
Friday, 14 April 2017	No Restrictions
Saturday, 15 April 2017	No Restrictions
Sunday, 16 April 2017	No Restrictions
Monday, 17 April 2017	No Restrictions
Tuesday, 25 April 2017	No Restrictions*

* Many stores elect to remain closed before 1pm but there is no requirement to do so.

TRADING HOURS - SOUTH AUSTRALIA

(a) Shops in the Greater Adelaide Shopping District (excluding CBD Tourist Precinct)

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED
Saturday, 15 April 2017	Trading permitted until 5:00pm
Sunday, 16 April 2017	CLOSED
Monday, 17 April 2017	CLOSED
Tuesday, 25 April 2017	CLOSED

(b) Shops in the CBD Tourist Precinct

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED
Saturday, 15 April 2017	Trading permitted until 5:00pm
Sunday, 16 April 2017	11:00am to 5:00pm
Monday, 17 April 2017	11:00am to 5:00pm
Tuesday, 25 April 2017	12:00pm to 5:00pm

(c) Shops in Proclaimed Shopping Districts (excluding types of shops listed in (d) below)

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED
Saturday, 15 April 2017	CLOSED
Sunday, 16 April 2017	CLOSED
Monday, 17 April 2017	CLOSED
Tuesday, 25 April 2017	CLOSED

(d) Shops selling hardware, building materials, furniture, floor coverings, motor vehicle parts & accessories

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED
Saturday, 15 April 2017	Trading permitted until 5:00pm
Sunday, 16 April 2017	9:00am to 5:00pm
Monday, 17 April 2017	9:00am to 5:00pm
Tuesday, 25 April 2017	12:00pm to 5:00pm

Shops located in deregulated areas have no trading restrictions. These areas include:

Angaston, Port Pirie, Port Augusta, Gawler, Quorn, Hawker, Murray Bridge, Berri, Mt Barker, Renmark, Waikerie, Jamestown, Loxton, Clare, Victor Harbour and Mt Gambier.

Exempt shops (including take away food, newsagents, video shops, and shops with a floor area no greater than 200 square metres) also have no trading restrictions. However, they are requested to remain closed until 12 noon as a mark of respect for Anzac Day commemorations.

If you are unsure of whether your shop is exempt or require further information about specified precincts, contact the Employment Law Division or refer to the NRA’s Trading Hours – National Summary fact sheet (available from www.nra.net.au).

TRADING HOURS - WESTERN AUSTRALIA

(a) General Retail Shops in the Perth Metropolitan Area

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED
Saturday, 15 April 2017	8:00am to 5:00pm
Sunday, 16 April 2017	11:00am to 5:00pm
Monday, 17 April 2017	8:00am to 6:00pm
Tuesday, 25 April 2017	CLOSED

(b) General Retail Shops (South of 26th Parallel Outside of Perth Metropolitan Area)

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED
Saturday, 15 April 2017	8:00am to 5:00pm
Sunday, 16 April 2017	CLOSED
Monday, 17 April 2017	CLOSED
Tuesday, 25 April 2017	CLOSED

Small retail shops (owned by up to six people, operating no more than three retail shops, in which up to 18 people work at any one time AND have obtained a certificate from the Department of Commerce) have no trading restrictions.

Special retail shops (including newsagencies, pharmacies, video shops and duty free shops) may trade on any day between 6.00am and 11.30pm.

No trading restrictions apply to restaurants, cafes, take away food shops or retail shops located in public passenger terminals or stations when services are running.

If you are unsure of your shop’s classification, contact the Employment Law Division or refer to the NRA’s Trading Hours – National Summary fact sheet (available from www.nra.net.au).

TRADING HOURS – TASMANIA

Major Retailers & Franchise Groups Employing More Than 250 Employees

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED
Saturday, 15 April 2017	No restrictions
Sunday, 16 April 2017	No restrictions
Monday, 17 April 2017	No restrictions
Tuesday, 25 April 2017	Restricted public holiday observed by some awards/agreements and the State Public Service. Contact NRA for more information.
Friday, 14 April 2017	CLOSED before 12:30pm*

* All businesses (regardless of size) must be closed until 12:30pm on ANZAC Day, unless they are a service station, pharmacy, newsagent, restaurant or café.

In addition, shops are also exempt from the trading restrictions on ANZAC Day if they are:

- not part of a shopping centre, plaza or mall, and employed 10 employees or less on any day in March last year;
- shops which the Minister has advised may open before 12:30pm.

If your shop is not exempt from the trading restrictions, you may apply to the Minister for an exemption.

TRADING HOURS – NORTHERN TERRITORY

Trading hours for retail stores are not regulated in the Northern Territory. However, individual restrictions may apply to certain shopping centres as set by centre management. The trading hours for the sale of liquor products are regulated. Please contact the Employment Law Division for further information.

TRADING HOURS – QUEENSLAND

Trading hours' restrictions in Queensland vary depending on the type of shop and the location of the shop. Shops fall into three categories: Exempt, Independent or Non-Exempt.

Further information in relation to the classifications is available within the NRA National Trading Hours Fact Sheet available through our website www.nra.net.au. 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.

EXEMPT SHOPS (including newsagents, bread/cake/pastry shops, camping equipment shops, fruit shops, sporting goods shops, pet shops, restaurants, cafes and refreshment shops) have no trading restrictions.

INDEPENDENT SHOPS (no more than 20 people on the shop floor at any one time and, if more than one shop in Queensland, no more than 60 people on the shop floor at any one time across all stores)*

Day	Trading Restrictions
Friday, 14 April 2017	CLOSED
Saturday, 15 April 2017	No restrictions
Sunday, 16 April 2017	No restrictions
Monday, 17 April 2017	No restrictions
Tuesday, 25 April 2017	CLOSED before 1:00pm

* Independent shops that predominantly sell food and/or grocery items have no trading restrictions

NON EXEMPT SHOPS Please contact the NRA for further information.

For more information

Phone: 1800 RETAIL (738 245) | Email: law@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.