

SHOP TRADING HOURS SUMMARY: CHRISTMAS 2019 AND NEW YEAR 2020

As at December 11 2019

This fact sheet provides information about shop trading hours and public holidays for retail stores during the Christmas and New Year period for 2019/2020.

It is based on relevant legislation and decisions made by Government, including the granting of 'extended' trading hours.

#Note that for this period, Australia Day (26 January 2020) falls on a Sunday, so gives rise to a substitute public holiday on Monday 27 January 2020 in certain jurisdictions.

What are the Gazetted Public Holidays?

The following table summarises the days and times that are public holidays throughout Australia under relevant legislation or declaration.

State or Territory	Tuesday 24 December	Wednesday 25 December	Thursday 26 December	Tuesday 31 December	Wednesday 1 January
VIC		Christmas Day	Boxing Day		New Year's Day
NSW		Christmas Day	Boxing Day		New Year's Day
ACT		Christmas Day	Boxing Day		New Year's Day
QLD	From 6:00PM - midnight*	Christmas Day	Boxing Day		New Year's Day
WA		Christmas Day	Boxing Day		New Year's Day
TAS		Christmas Day	Boxing Day		New Year's Day
NT	From 7:00PM - midnight	Christmas Day	Boxing Day	From 7:00PM - midnight	New Year's Day
SA	From 7:00PM - midnight	Christmas Day	Proclamation Day	From 7:00PM - midnight	New Year's Day

*Decision by Government late November 2019

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 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.

Shop Trading Hours Restrictions

Shop trading hours, including permissible trading and restricted trading, can apply to particular days, types of shops, and in some cases the location of the shops in specified areas of the certain states. Other conditions can apply such as retail staff being able to freely elect to work, and shops being able to open voluntarily. Fines and penalties can apply. 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.

AUSTRALIAN CAPITAL TERRITORY – TRADING HOURS

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

ACT	Wednesday 25 December	Thursday 26 December	Wednesday 1 January
Public Holidays	Christmas Day	Boxing Day	New Year's Day
Trading hours	No restrictions but stores would generally close.	No restrictions	No restrictions

NEW SOUTH WALES – TRADING HOURS

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

NSW	Wednesday 25 December	Thursday 26 December	Wednesday 1 January
Public Holidays	Christmas Day	Boxing Day	New Year's Day
Trading hours	CLOSED except for exempt shops**	Restricted	No restrictions

*** Further information including the definition of an exempt shop is available on the NRA 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.*

NORTHERN TERRITORY – TRADING HOURS

Shop trading hours in the 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	Wednesday 25 December	Thursday 26 December	Wednesday 1 January
Public Holidays	Christmas Day	Boxing Day	New Year's Day
Trading hours	No restrictions but stores would generally close.	No restrictions	No restrictions

QUEENSLAND – TRADING HOURS

Shop trading hours in Queensland are predominantly regulated and vary depending on the type of shop and its location.

Extended trading hours in the lead-up to Christmas may apply depending on the type of shop you operate and its location. To find out what trading hours apply to your specific circumstances, please contact the NRA for assistance.

Queensland Christmas Eve part public holiday from 6pm to midnight on 24 December, decision by Government late November 2019.

QLD	Wednesday 25 December	Thursday 26 December	Wednesday 1 January
Public Holidays	Christmas Day	Boxing Day	New Year's Day
Trading hours Exempt Shops	No restrictions	No Restrictions	No Restrictions
Trading hours Independent Shops	CLOSED (except independent grocery shops)	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 **

18 to 23 December 2019

All non-exempt stores state-wide can trade until 12 midnight, opening times are normal opening times for the day.

24 December 2019

All non-exempt stores state-wide to close for trade at 6pm.

Non Exempt trade - *Sundays Additional Christmas Hours*

ZONE	ABR	Sunday 1 December	Sunday 8 December	Sunday 15 December	Sunday 22 December
SEQ	S	8am - 6pm	8am - 6pm	8am - 6pm	9am - Midnight
Tourist area	T	7am - 9pm	7am - 9pm	7am - 9pm	7am - Midnight
Regional 7 (1ab area)	R	8am - 6pm	8am - 6pm	8am - 6pm	9am - Midnight
Regional 6 (other area)	D	9am - 6pm	9am - 6pm	9am - 6pm	9am - Midnight
Townsville CBD	*	8am - 6pm	8am - 6pm	8am - 6pm	9am - Midnight

Non Exempt trade - All Additional Christmas Hours – SEQ

SEQ			
DATE	TRADING HOURS	DATE	TRADING HOURS
Sunday 1 December	8am - 6pm	Monday 23 December	7am - Midnight
Sunday 8 December	8am - 6pm	Tuesday 24 December	7am - 6pm
Sunday 15 December	8am - 6pm	Wednesday 25 December	CLOSED
Monday 16 December	7am - 9pm	Thursday 26 December	9am - 6pm (Boxing Day)
Tuesday 17 December	7am - 9pm	Friday 27 December	7am - 9pm
Wednesday 18 December	7am - Midnight	Saturday 28 December	7am - 9pm
Thursday 19 December	7am - Midnight	Sunday 29 December	9am - 6pm
Friday 20 December	7am - Midnight	Monday 30 December	7am - 9pm
Saturday 21 December	7am - Midnight	Tuesday 31 December	7am - 9pm
Sunday 22 December	9am - Midnight	Wednesday 1 January	9am - 6pm (New Years Day)

Non Exempt trade - All Additional Christmas Hours – Regional 7 day traders

REGIONAL			
DATE	TRADING HOURS	DATE	TRADING HOURS
Sunday 1 December	8am - 6pm	Monday 23 December	8am - Midnight
Sunday 8 December	8am - 6pm	Tuesday 24 December	8am - 6pm
Sunday 15 December	8am - 6pm	Wednesday 25 December	CLOSED
Monday 16 December	8am - 9pm	Thursday 26 December	9am - 6pm (Boxing Day)
Tuesday 17 December	8am - 9pm	Friday 27 December	8am - 9pm
Wednesday 18 December	8am - Midnight	Saturday 28 December	8am - 6pm
Thursday 19 December	8am - Midnight	Sunday 29 December	9am - 6pm
Friday 20 December	8am - Midnight	Monday 30 December	8am - 9pm
Saturday 21 December	8am - Midnight	Tuesday 31 December	8am - 9pm
Sunday 22 December	9am - Midnight	Wednesday 1 January	9am - 6pm (New Years Day)

**If your store or centre is in a Tourist, non-Sunday trade or Townsville CBD areas please call the NRA for further details.*

Non Exempt trade - Public holiday trade

TH ZONE	ABR	Trading	Non-trading
SEQ	S	9am – 6pm	Closed days
Tourist	T	7am – 9pm	Closed days
Regional 7	R	9am – 6pm	Closed days
Regional 6	D	Closed	All public holidays
Townsville CBD	*	9am – 6pm	Closed days
Exempt	E	0am – 0am	Closed days

SOUTH AUSTRALIA – TRADING HOURS

Shop trading hours in South Australia are predominantly regulated and vary depending on the type of shop and its location.

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

1. Greater Adelaide Shopping District, comprising:
 - a. CBD Tourist Precinct;
 - b. Metropolitan Shopping District;
 - c. Glenelg Tourist Precinct
2. [35 Proclaimed Shopping Districts](#) located in country areas;
3. Partial exempt; and
4. 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.

SOUTH AUSTRALIA	Tues 24 December	Wed 25 December	Thurs 26 December	Tues 31 December	Wed 1 January
Public Holidays	7pm-midnight	Christmas Day	Proclamation Day	7pm-midnight	New Year's Day
Trading hours of Shops in the CBD Tourist Precinct – non-exempt	Until 5pm	Closed	Until 9pm	Until 5pm	11am to 5pm
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	Until 5pm	Closed
Trading Hours of Shops in Proclaimed Shopping Districts – non-exempt	Until 5pm	Closed	Closed	Until 5pm	Closed
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	Until 5pm	9am to 5pm
Exempt Shops and Shops in Regional Districts Where Trading Hours have been Deregulated	Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted

Extended Christmas trading hours –

Every year the SA Government makes a decision (and gazettes) extended trading hours for non-exempt shops in the greater Adelaide Shopping District.

Note - In early November 2019, the Government announced ‘extended trading’ on Black Friday, 29 November 2019, being from 9pm to midnight.

The Government made a further decision in relation to extended trading for certain Sundays, weeknights and public holidays. The days to which the exemptions apply and the permitted trading times on those days are outlined in the table below. Normal trading hours apply on all other days.

Day	CBD	Metro
Friday, 29 November 2019	until 12 midnight	until 12 midnight
Sunday, 1 December 2019	9am to 5pm	9am to 5pm
Sunday, 8 December 2019	9am to 5pm	9am to 5pm
Sunday, 15 December 2019	9am to 5pm	9am to 5pm
Thursday, 19 December 2019	until 12 midnight	until 12 midnight
Friday, 20 December 2019	until 12 midnight	until 12 midnight
Saturday, 21 December 2019	until 6pm	until 6pm
Sunday, 22 December 2019	9am to 6pm	9am to 6pm
Monday, 23 December 2019	until 12 midnight	until 12 midnight
Thursday, 26 December 2019	9am to 5pm	9am to 5pm
Sunday, 29 December 2019	9am to 5pm	9am to 5pm

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.

TASMANIA – TRADING HOURS

Shop trading hours in Tasmania are predominantly deregulated and during this period, 25 December 2019 is the only closed day for major retailers or franchise groups.

TAS	Wednesday 25 December	Thursday 26 December	Wednesday 1 January
Public Holidays	Christmas Day	Boxing Day	New Year's Day
Trading hours	Closed for major retailers or franchise groups employing more than 250 employees. Other retailers have no restrictions	No restrictions	No restrictions

VICTORIA – TRADING HOURS

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

VICTORIA	Wednesday 25 December	Thursday 26 December	Wednesday 1 January
Public Holidays	Christmas Day	Boxing Day	New Year's Day
Trading hours	CLOSED except for exempt shops***	No restrictions	No restrictions

*** 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.

WESTERN AUSTRALIA – TRADING HOURS

Trading hours 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 2019/2019 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.

WESTERN AUSTRALIA	Wednesday 25 December	Thursday 26 December	Wednesday 1 January
Public Holidays	Christmas Day	Boxing Day	New Year's Day
Trading hours - <i>General Retail Shops in the Perth Metropolitan Area</i>	Closed	8am to 6pm	8am to 6pm
Trading hours - <i>Special Retail Shops</i>	6am to 11:30pm	6am to 11:30pm	6am to 11:30pm
Trading hours - <i>Small Retail Shops; All Shops located north of the 26th parallel</i>	No restrictions	No restrictions	No restrictions
Trading hours - <i>Regional and Local Government Areas</i>			

Local Government Areas – Western Australia

Area	Area	Area
City of Mandurah	Shire of Dardanup	Shire of Gingin
City of Bunbury	Shire of Denmark	Shire of Harvey
Shire of August-Margaret River	Shire of Donnybrook-Balingup	City of Kalgoorlie-Boulder
Shire of Busselton	Shire of Dundas	Shire of Mingenew
Rottenest Island	Shire of Northam	Shire of Narembeen
Shire of Dandaragan	Shire of York	Shire of Northampton

Contact the NRA for details of allowable trading hours of the Christmas/New year period in any of these regions.

Additional Christmas Hours – Western Australia - based on 2019

Every year the WA Government gazettes extended trading hours for non-exempt shops, it is anticipated that affected retailers will be able to trade extra hours. The WA Government in early November approved the following extended trading hours over the Christmas/New Year period:

2019 Trading Hours General Retail Shops in the Perth Metropolitan Area, WA			
DATE	TRADING HOURS	DATE	TRADING HOURS
Saturday 7 December	8am-6pm	Sunday 22 December	8am-6pm
Sunday 8 December	8am-6pm	Monday 23 December	7am-9pm
Monday 9 December	8am-9pm	Tuesday 24 December	7am-9pm
Tuesday 10 December	8am-9pm	Wednesday 25 December	CLOSED
Wednesday 11 December	8am-9pm	Thursday 26 December	8am-6pm (Boxing Day)
Thursday 12 December	8am-9pm	Friday 27 December	8am-9pm
Friday 13 December	8am-9pm	Saturday 28 December	8am-6pm
Saturday 14 December	8am-6pm	Sunday 29 December	8am-6pm
Sunday 15 December	8am-6pm	Monday 30 December	8am-9pm
Monday 16 December	7am-9pm	Tuesday 31 December	8am-9pm
Tuesday 17 December	7am-9pm	Wednesday 1 January	8am-6pm (New Year's Day)
Wednesday 18 December	7am-9pm	Thursday 2 January	8am-9pm
Thursday 19 December	7am-9pm	Monday, 27 January	8am-6pm (Australia Day)
Friday 20 December	7am-9pm		
Saturday 21 December	8am-6pm		

For more information

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

IMPORTANT INFORMATION

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