

(2) The *Public Health Act 1935*, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section seventy-two A of the Principal Act is amended by adding at the end thereof the following subsection:—

Chemicals  
put in water  
supplies.

“(5) The Minister may, out of moneys provided by Parliament, make grants to authorities to which subsection (1) of this section relates for the purpose of assisting those authorities to defray the costs incurred by them in, or in connection with, the addition by them of compounds of fluorine to water supplied to the public for domestic purposes.”.

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## SHOPS.

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### No. 25 of 1962.

#### AN ACT to amend the *Shops Act 1925*.

[10 May 1962.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—(1) This Act may be cited as the *Shops Act 1962*.

Short title,  
citation, and  
commence-  
ment.

(2) The *Shops Act 1925*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on a date to be fixed by proclamation.

**2** Section three of the Principal Act is amended—

Interpretation.

(a) by inserting in the definition of “Closed”, after the word “shop”, the words “or part of a shop”;

(b) by inserting after the definition of “Family” the following definition:—

“‘motor accessories’ means any article or thing manufactured, constructed, or designed for use in or on or as part of a motor vehicle or for the purpose of the maintenance or repair of a motor vehicle;” and

(c) by inserting after the definition of "Non-exempted goods" the following definitions:—

" 'petrol filling station' means a shop at which a petrol pump is installed and at which any petroleum products are offered or exposed for sale by retail to the public;

'petroleum products' means any liquid intended for use as a fuel for a motor vehicle propelled by means of an internal combustion engine, any lubricant intended for use as a lubricant in a motor vehicle, and kerosene;

'petrol pump' means any pump or similar device that may be used for the delivery of any liquid fuel from the place at which it is kept directly to the fuel tank of a motor vehicle;"

Compulsory  
holidays and  
half-holidays.

**3** Section five of the Principal Act is amended by adding at the end thereof the following subsection:—

"(5) In respect of a petrol filling station this section has effect subject to section nine A."

Early closing.

**4** Section eight of the Principal Act is amended by omitting subsection (3) and substituting therefor the following subsection:—

"(3) In respect of a petrol filling station this section has effect subject to section nine A."

**5** After section nine of the Principal Act the following section is inserted:—

Petrol filling  
stations.

"9A—(1) Subject to this section, a petrol filling station may be kept open during the following hours, namely:—

(a) Between the hours of half-past six of the clock in the morning and half-past seven of the clock in the afternoon on any day that is not a Friday, Saturday, or Sunday, or a public holiday;

(b) Between the hours of half-past six of the clock in the morning and half-past nine of the clock in the afternoon on any Friday that is not a public holiday;

(c) Between the hours of half-past six of the clock in the morning and half-past one of the clock in the afternoon on any Saturday that is not a public holiday and on any public holiday other than Good Friday, Christmas Day, or Anzac Day;

(d) Between the hours of half-past six of the clock in the morning and half-past one of the clock in the afternoon on any Sunday; and

(e) Between the hours of two and six of the clock in the afternoon on Anzac Day,

and, except as may otherwise be authorized by a permit under this section, shall remain closed at any other time.

“(2) Subject to subsection (3) of this section, where there is installed at a shop a petrol pump from which any petroleum product may be obtained by an operation that involves the insertion of coins in the pump or in any machinery or device associated with it, nothing in this Act prevents any person at any time obtaining any petroleum product from that pump by that operation, and that shop shall not, for the purposes of this Act, be regarded as not being closed, or as being kept open, or kept open for the sale of the petroleum product that may be obtained from that petrol pump, by reason only of the fact that a petroleum product may be obtained from that petrol pump by that operation.

“(3) Subsection (2) of this section does not apply to a petrol filling station unless there is installed at that petrol filling station a petrol pump that is not constructed or equipped for operation in the manner referred to in that subsection.

“(4) Where the Minister is satisfied that it would be in the public interest for one or more petrol filling stations in any area to be allowed to be kept open during the ordinary closing hours he may declare that area to be a roster area for the purposes of this section.

“(5) The Minister may revoke or vary any declaration made under this section.

“(6) A declaration, or a revocation or variation of a declaration, under this section is of no effect unless—

- (a) notice thereof is published in the *Gazette*; or
- (b) notice thereof is served on the proprietor of each petrol filling station that is situated within the area to which the declaration relates.

“(7) A notice under paragraph (b) of subsection (6) may be served on the proprietor of a petrol filling station by sending it by post to that petrol filling station addressed to him by name or to the proprietor of that petrol filling station without further description.

“(8) On an application by the proprietor of a petrol filling station situated within a roster area the Minister may grant a permit authorizing that petrol filling station to be kept open during ordinary closing hours at such times and on such days as may be specified in the permit.

“(9) The Minister may revoke or vary a permit granted under this section.

“(10) A permit shall not be granted under this section in respect of a petrol filling station for the first time unless the prescribed annual fee is paid and, unless a further prescribed annual fee is paid, no permit shall be granted in respect of that petrol filling station after the expiration of twelve months from the date on which a permit, in respect of which a prescribed annual fee was paid, was last granted under this section in respect of that petrol filling station.

“(11) In the exercise of his powers under this section the Minister shall endeavour to secure that no greater number of petrol filling stations are allowed to be kept open in the roster areas at any time during ordinary closing hours than are, in his opinion, reasonably necessary to meet the needs of the public in those areas at that time.

“(12) Subject to subsection (11) of this section, the Minister, in so far as he considers it practicable so to do, shall exercise his powers under this section in respect of any one roster area in a manner that is agreed upon by the proprietors of the petrol filling stations situated in that area in respect of which permits are in force and the proprietors of any other petrol filling stations in that area who desire to obtain permits, but otherwise shall endeavour to secure that no undue preference is given to, or any undue detriment suffered by, any of those proprietors by reason of the exercise of those powers.

“(13) On the application of the proprietor of a petrol filling station and on payment of the prescribed fee, the Minister may, subject to this section, grant a licence authorizing that petrol filling station to be kept open during such hours on such days as may be specified in the licence.

“(14) A licence under this section shall not be granted in respect of a petrol filling station that is situated—

(a) in a city or in a roster area; or

(b) in a town in which there is situated more than one other petrol filling station,

and shall not be granted in respect of any other petrol filling station unless the Minister considers that it is situated in an area that is sparsely populated and that there is not more than one other petrol filling station so situated in relation to it as to provide a reasonable alternative to members of the public who desire to use the facilities provided by a petrol filling station.

“(15) The Minister may revoke or vary any licence granted under this section.

“(16) No licence in force under this section authorizes a petrol filling station to be kept open during any week for a number of hours that exceeds by more than six the number of hours that it would have been allowed to keep open during that week if that licence had not been granted or to be kept open at any time on Christmas Day or Good Friday.

“(17) A licence under this section, unless earlier revoked, ceases to have effect at the expiration of twelve months from the date on which it is granted.

“(18) Subsection (1) of this section does not apply to a petrol filling station in respect of which a licence is in force under this section, and, subject to the other provisions of this section, that petrol filling station may be kept open at the times at which it is authorized by that licence to be kept open, but shall be closed at all other times.

“(19) The provisions of this subsection have effect in relation to a shop that is a petrol filling station and at which part of the trade carried on is a trade that consists of selling goods, other than exempted goods, petroleum products, and motor accessories:—

- (a) Where, if no petrol pump were installed at the shop, it could have been kept open at times at which by virtue of its being a petrol filling station it would, apart from this subsection, be required to be kept closed, it may, subject to subsection (20) of this section, be kept open at those times for the sale of goods other than petroleum products if, while it is so kept open, any petrol pump that is installed at the shop and is not of the kind referred to in subsection (2) of this section, is kept locked; and
- (b) Where, if no petrol pump were installed at the shop, it would be required to be kept closed at any time at which, by virtue of its being a petrol filling station, it would, apart from this subsection, be allowed to remain open, it may remain open at that time only for the sale of exempted goods, petroleum products, and motor accessories, and only if that part of the shop in which any other goods are kept, exposed, or offered for sale is closed.

“(20) Nothing in paragraph (a) of subsection (19) of this section authorizes a shop that is a petrol filling station to be kept open otherwise than in accordance with the provisions of this Act as they would apply to that shop if no petrol pump were installed thereat.

“(21) Nothing in the *Sunday Observance Act 1908* shall be construed as having the effect of prohibiting or rendering unlawful the sale or supply, from or at a petrol filling station, of any petroleum product or motor accessory at any time at which that petrol filling station may, under this section, be kept open.

“(22) In this section—

‘ordinary closing hours’, when used in relation to petrol filling stations situated in any area, means the times at which a petrol filling station situated in that area in respect of which no permit or licence is in force under this section and to which subsection (19) of this section does not apply, is required by this section to be kept closed;

‘proprietor’, when used in relation to a petrol filling station, means a person occupying that petrol filling station or having the management or control of the business carried on thereat;

' public holiday ' , when used in relation to a petrol filling station, means Good Friday, Christmas Day, Anzac Day, and any other day that persons regularly employed in the sale of petroleum products and motor accessories at that petrol filling station are, under a determination made under the *Wages Boards Act 1920*, allowed to take as a holiday without loss of wages;

' week ' means a period of seven consecutive days commencing on any Sunday.

"(23) This section shall expire on the thirty-first day of December 1964."

Small shops.

**6** Section twelve of the Principal Act is amended—

(a) by omitting from subsection (1) the words " , other than a garage , " ; and

(b) by adding at the end thereof the following subsection:—

"(10) In respect of a small shop that is a petrol filling station this section has effect subject to section nine A."

Mixed-trade shops.

**7** Section fifteen of the Principal Act is amended by adding at the end thereof the following subsection:—

"(7) In respect of a mixed-trades shop that is a petrol filling station this section has effect subject to section nine A."

Special provisions for Hobart and Launceston.

**8** Section sixteen A of the Principal Act is amended by adding at the end thereof the following subsection:—

"(2) In respect of a petrol filling station this section has effect subject to section nine A."

Suspension of Act at holiday periods.

**9** Section twenty-five of the Principal Act is amended by inserting after the word " Act " the words "(except in so far as it relates to petrol filling stations)".

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## FACTORIES, SHOPS, AND OFFICES.

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No. 26 of 1962.

AN ACT to amend the *Factories, Shops, and Offices Act 1958*. [10 May 1962.]

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

**1**—(1) This Act may be cited as the *Factories, Shops, and Offices Act 1962*.