

TRADING (ALLOWABLE HOURS) AMENDMENT BILL 2002

AMENDMENTS AGREED TO IN COMMITTEE

1 Clause 2—

At page 4, after line 3—

insert—

‘(1A) Section 9 commences on a day to be fixed by proclamation.’.

2 After clause 8—

At page 7, after line 13—

insert—

‘9 Insertion of new s 36A

Part 7, before section 37—

insert—

‘36A Protection for current employees

‘(1) An employer must not require a current employee to work during extended hours unless the employee agrees, in writing, to work during extended hours.

Maximum penalty—

- (a) for a first offence—16 penalty units; or
- (b) for a second or subsequent offence—20 penalty units.

‘(2) However, subsection (1) does not apply in relation to a current employee if—

- (a) an industrial instrument provides arrangements under which the employee may refuse or agree to work during extended hours; and

- (b) a regulation prescribes the industrial instrument as an approved industrial instrument for this subsection.

‘(3) In this section—

“**agree**” means agree for a stated period or for an indefinite period.

“**closed day**” see section 31B(8).

“**current employee**” means an employee who is employed in a non-exempt shop immediately before 1 August 2002, other than in a non-exempt shop for which the permissible trading hours immediately before 1 August 2002 include trading hours on a Sunday or public holiday, other than a closed day.

“**employer**” means an employer of an employee employed in a non-exempt shop.

“**extended hours**” means the permissible trading hours on a Sunday or public holiday, other than a closed day.

“**industrial instrument**” means an award or certified agreement within the meaning of the *Industrial Relations Act 1999*.

“**non-exempt shop**” means a non-exempt shop in the south-east Queensland area.

“**permissible trading hours**” see section 31B(8).

“**south-east Queensland area**” see section 31B(8).’.