

## BREAD (AMENDMENT) BILL 1988

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

Part 2 of the Bread Act 1969 currently provides for the fixing, by regulations under that Act, of starting and ceasing times for the making, baking and delivery of bread. It is an offence to make or bake bread, or to deliver bread, outside the hours so fixed.

The objects of this Bill are—

- (a) to amend the Bread Act 1969 so as to deregulate the making, baking and delivery of bread—
  - (i) by repealing the provisions of that Act that provide for the fixing of starting and ceasing times and that create the relevant offences; and
  - (ii) by enacting new provisions to preclude starting and ceasing times being fixed by awards etc.; and
- (b) to repeal the Bread (Amendment) Act 1985, which contains uncommenced amendments that provide for the issue of special licences for baking bread.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides that the proposed Act is to commence on a day or days to be appointed by proclamation.

**Clause 3** gives effect to the Schedule of amendments.

**Clause 4** repeals the Bread (Amendment) Act 1985.

### SCHEDULE 1—AMENDMENTS

**Schedule 1 (2)** substitutes Part 2. The proposed Part 2 contains new sections 5–8.

#### **Definitions**

**Proposed section 5** defines the expressions “award”, “employee”, “industrial agreement” and “industrial tribunal” for the purposes of the proposed Part.

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**Starting and ceasing times for bread manufacture and delivery**

**Proposed section 6** precludes an industrial tribunal from fixing, or providing for the fixing of—

- (a) starting times or ceasing times for the making, baking or delivery of bread; or
- (b) the periods during which bread may not be made, baked or delivered.

The proposed section further provides that a provision of an award (whenever made), of an existing industrial agreement or of an order or direction of an industrial tribunal (whenever made or given) that fixes, or provides for the fixing of, such times or such periods is of no effect.

**Certain wages to be regarded as ordinary pay**

**Proposed section 7** reproduces the provisions of existing section 6 (7) which allows an award or industrial agreement to require certain shift allowances to be regarded as ordinary pay for the purposes of the Annual Holidays Act 1944 and the Long Service Leave Act 1955.

**Saving of powers of industrial tribunals**

**Proposed section 8** expressly preserves such of the powers of an industrial tribunal as are not to be affected by proposed section 6.

**Schedule 1 (1) and (3)** repeal section 3, and Schedules 1 and 2, by way of statute law revision.

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