



Form 20 – Affidavit



Industrial Relations Act 2016, s 989
Industrial Relations (Tribunals) Rules 2011, r 52, r 53, r 55

Information

- This form is to be used to prepare an Affidavit.
- Please read this form carefully and complete all relevant sections. Information that is missing or non-compliant with the relevant section of an Act or the Rules may result in the non-acceptance of your form.
- Documents which are longer than 30 pages in length must be provided to the Industrial Registry in hard copy before it will be accepted for filing.
- For further information please refer to the website www.qirc.qld.gov.au or contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au.

Instructions

- Affidavits must comply with the formal requirements for documents in accordance with rules 50 to 57 of the *Industrial Relations (Tribunals) Rules 2011*.
- The affidavit must set out the facts divided into consecutively numbered paragraphs. Each paragraph should be confined to a distinct part of the subject matter.
- This affidavit must be sworn or affirmed before a person authorised by law to witness the swearing of affidavits (e.g. Justice of the Peace, Commissioner for Declarations, Lawyer).
- Each page must be signed by the deponent (person making the affidavit) and the witness (person taking the affidavit).
- ***Attach extra page(s) if you need more space, ensuring that Part 5 containing the signature is always on the last page of the form and that each additional page is signed at the bottom of the page by the deponent and witness.***
- Any handwritten alteration to the affidavit must be initialled by the deponent and witness.
- If this affidavit contains exhibits (document mentioned in the affidavit and used with the affidavit) you will need to complete a **Form 21 - Certificate of Exhibit to Affidavit** for each exhibit (which is also to be signed and witnessed).
- If the affidavit is sworn by a person incapable of reading the affidavit or physically incapable of signing it, the witness must complete the Certificate at Part 6.
- If required by the Court, Commission or Registrar, the deponent must appear to give evidence or for cross-examination.
- The Court, Commission or Registrar may remove or strike out any material contained within the affidavit deemed to be a scandalous or oppressive matter.

Signed: _____
[Signature of the deponent/substitute signatory]

Taken by: _____
[Signature of witness]
Justice of the Peace/Commissioner for Declarations/Lawyer

1. Matter details

Applicant:	National Retail Association, Union of Employers
Respondent:	NA

If there are more than two parties to the application, please complete a **Form 1 – Parties list** and file with this form.

This affidavit is filed for the:	<input checked="" type="checkbox"/> Applicant/Appellant	<input type="checkbox"/> Respondent (or as the case may be)
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2. Contact details of party filing this affidavit

Title [please select]:	<input checked="" type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Mx	<input type="checkbox"/> Other: _____
Name of Party:	National Retail Association, Union of Employers					
Name of contact person: [if party is an organisation]	David Stout					
Postal/Service address:	Level 3/67 St Pauls Terrace					
	Spring Hill <small>Suburb/Town</small>				4000 <small>Postcode</small>	
Phone number:			Mobile number:	0409 926 066		
Email address:	d.stout@nationalretail.org.au					

3. Deponent's details (person making the affidavit)

Title [please select]:	<input checked="" type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Mx	<input type="checkbox"/> Other: _____
Deponent's Name:	David Stout					
Postal/Service address*:	Levl 3/67 St Pauls Terrace					
	Spring Hill <small>Suburb/Town</small>				4000 <small>Postcode</small>	

* The deponent does not have to give a residential address if they are concerned about their safety. They may give another address at which they are satisfied they will receive documents e.g. a business address.

Signed:  [Signature of the deponent/substitute signatory] Taken by:  [Signature of witness]
Justice of the Peace/Commissioner for Declarations/Lawyer

4. Evidence

Attach extra pages if you need more space ensuring that Part 5 containing the signature is always on the last page of the form and that each additional page is signed at the bottom of the page by the deponent and witness.

Affidavit

David Stout

3/67 St Pauls Terrace Spring Hill

I, _____ of _____
[insert full name of deponent] [insert residential or business address of deponent*]

state on oath: OR do solemnly and sincerely affirm and declare, that:

Insert matters to be sworn or affirmed in numbered paragraphs

1. I am David Stout, representing the National Retail Association, Union of Employers.
2. The Mount Isa Agricultural Show Society hosts the Mount Isa Show annually with the help of local volunteers and sponsors and is a major drawcard in regional Queensland, providing tourism and employment opportunities. 2026 will be the Show's 44th iteration.
3. The Mount Isa Show event features pavilion competitions and displays across multiple sections, including photography, cookery, woodwork, home brew, horticulture, poultry, scarecrows, and quilting. The event will also include tiny tots competition, demolition derby, equestrian events, pig races, car and motorcycle show, pets' parade, live entertainment and the 3B's Rodeo. These events provide popular sporting entertainment and highlight local talent as well as showcasing local agriculture and industry.
4. The Mount Isa Show will run from Friday 19 June to Saturday 20 June 2026.
5. Accordingly, the National Retail Association asks the Commission to grant an order under Part 5 Division 3 of the Act for Mt Isa for Friday, 19 June up to and including Sunday, 21 June 2026. This covers the period of the Mount Isa Show and the following Sunday (See Exhibit B for a map of the area).
6. The National Retail Association is seeking the inclusion of Sunday, 21 June 2026 within this application. The event closes late on Saturday night and Mount Isa is an extremely remote town, 121km from Cloncurry, 1,823km north-west of Brisbane and 904km west of Townsville. The National Retail Association submits that it is extremely unlikely that out-of-town visitors will drive home after the events close at 10pm on Saturday. Therefore, we are seeking the inclusion of Sunday to allow local businesses to better service the needs of visitors for the entire duration of their stay.
7. We rely on earlier decisions regarding the Mount Isa Show (TH/2021/5, TH/2022/3, TH/2023/2, TH/2024/1, TH/2025/4), noting that in these circumstances, the Commission considered it appropriate to include the day after the event (Sunday) within the applicable period.
8. I submit that the Mount Isa Show is one of the most iconic regional shows in Queensland and clearly meets the Act criteria as a special event of sporting and cultural significance, with significance to the economy and tourism industry. We further submit that the Commission, should it be minded granting this application, could rely on the available evidence in support of the significance of the event (See Exhibit A).

Signed: _____
[Signature of the deponent/substitute signatory]

Taken by: _____
[Signature of witness]
Justice of the Peace/Commissioner for Declarations/Lawyer

5. Signature


The contents of this affidavit are true and correct. Where the contents of this affidavit are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and the grounds for the belief and, if contained in a document, I have attached that document to this affidavit.

I understand that it is a criminal offence to provide a false matter in an affidavit, for example, the offence of perjury under section 123 of the Criminal Code.

I state that: [Deponent to complete – *only tick if applicable* – leave blank if not applicable]:


- This affidavit was made in the form of an electronic document
- I electronically signed this affidavit
- This affidavit was made, signed and witnessed under Part 6A (Audio visual link) of the *Oaths Act 1867*.

SWORN/AFFIRMED BY:

Signature of person making the affidavit	
Full name of deponent:	
Signature of deponent:	
Sworn/Affirmed at [place]:	DAVID STOUT
Date:	11/5/26

Alternative signature panel if substitute signatory signs	
Complete this section <u>only</u> if the affidavit was signed by a substitute signatory (a person directed to sign the affidavit on behalf of the deponent)	
Signed for and at the direction of the deponent by:	
Full name of substitute signatory:	
Signature of substitute signatory:	
Sworn/Affirmed at [place]:	
Date:	

BEFORE ME:

Witness details	
Full name of witness:	
Signature and type of witness:	
	<input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Commissioner for Declarations <input checked="" type="checkbox"/> Lawyer
Date:	
Insert name of law practice/place of employment:	NRA Legal

6. Certificate (pursuant to rule 55 of the *Industrial Relations (Tribunals) Rules 2011*):

WITNESS to complete [only tick if applicable]

If deponent is incapable of reading or physically signing the affidavit

- I certify that this affidavit was read in the presence of the deponent who seemed to understand it, and signified that they made the affidavit.
- I certify that this affidavit was read in the presence of the deponent who seemed to understand it, and signified that they made the affidavit, but was physically incapable of signing it.
- A substitute signatory signed for and at the direction of the deponent.

7. For Special Witnesses (see s 12 of the *Oaths Act 1867*)

SPECIAL WITNESS to complete [only tick if applicable]

For special witnesses only:

- I am a special witness under the *Oaths Act 1867* (see s 12 of the *Oaths Act 1867*).
- This affidavit was made in the form of an electronic document.
- I electronically signed this affidavit.
- This affidavit was made, signed and witnessed under Part 6A (Audio visual link) of the *Oaths Act 1867* - I understand the requirements for witnessing a document by audio visual link and have complied with those requirements.

Signed: _____

[Redacted signature area]
[Signature of the deponent/substitute signatory]

Taken by: _____

[Redacted signature area]
[Signature of witness]

Justice of the Peace/Commissioner for Declarations/Lawyer



Matter No: / /

Form 21 – Certificate of Exhibit to Affidavit

Industrial Relations Act 2016, s 989
Industrial Relations (Tribunals) Rules 2011, r 53

Information

- This form is to be used when attaching exhibits to an affidavit. Exhibits are documents mentioned in the affidavit and used with the affidavit. Attach one Certificate per exhibit.
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- For further information please refer to the website www.qirc.qld.gov.au or contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au.

Matter details

Applicant:	National Retail Association, Union of Employers
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v

Respondent:	
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Exhibit details

Name of document:	Statement of facts
Marked:	Exhibit A
Mentioned in the affidavit of:	David Stout

Signature

Full name of deponent/ substitute signatory:	DAVID STOUT
Signature of deponent/ substitute signatory:	[Redacted]
Full name of witness:	
Signature and type of witness:	[Redacted]
	<input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Commissioner for Declarations <input checked="" type="checkbox"/> Lawyer
Sworn/Affirmed at [place]:	Spring Hill
Date:	11/5/26

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION
Trading (Allowable Hours) Act 1990

Industrial Relations Act 2016 (Qld)

National Retail Association Limited, Union of Employers
Applicant

Outline of submissions

Application summary

1. The National Retail Association is Australia's most diverse retail organisation. The Association represents thousands of retailers nationwide, ranging from individual retail outlets and franchise locations to large supermarkets and department stores.
2. Part 5 Division 3 of the Trading (Allowable Hours) Act 1990 ("The Act"), as revised in 2022, provides for non-exempt shops operating in a stated area for an event to be considered exempt for the period of that event, if the QIRC declares the event to be a special event. The National Retail Association and its members believe the Mount Isa Show fits the description of a special event.
3. Agricultural shows have played a leading role in the development and social identity of agriculture and rural communities, they are one of the oldest continuous events in Australia. The Mount Isa Show is an annual 2-day festival held at the Mount Isa Buchanan Park with sideshows, section competitions, amusement rides, fireworks, sporting events, and other entertainment.
4. The Mount Isa Show is a major tourist drawcard in regional Queensland, providing tourism and employment opportunities. The Mount Isa Show has been running since 1982 and the 2026 event will be the 44th iteration.
5. The Mount Isa Show will run from Friday 19 June to Saturday 20 June 2026.

Justification

6. In deciding whether to declare an event to be a special event, the Commission must consider the cultural, religious, or sporting significance of the event, and the significance of the event to the economy and the tourism industry. The Commission must also consider whether there is a need for a non-exempt shop to trade for hours greater than the core trading hours for the period of the event.
7. Further, the Commission must have regard to the size of the place where the event will be held, whether the event will be held at multiple places, predicted attendance numbers, expected media coverage, any contribution the event may make to Queensland's national or international reputation. The Commission must also have regard to a submission made by a local government for an area in which the declaration is likely to have an impact or an industrial organisation in relation to the likely impact of the special event declaration on employees.
8. A declaration must state the details of the event, the subject of the declaration, the period for which the declaration applies, and the area to which the declaration applies. Accordingly, the National Retail Association asks the Commission to grant an order under Part 5 Division 3 of the Act for Mount Isa for Friday 19 June up to and including Sunday 21 June 2025. This covers the period of the Mount Isa Show and the following Sunday (See Exhibit B for a map of the area).
9. As with any local event, the town will experience an influx of visitors and their needs will be surplus to existing infrastructure. As with previous Shows, retail operators in and around the venue areas will have an increase in activity both directly related and ancillary to events that make up the Show. The Show will activate the entire town with events taking place across the CBD and surrounds. The area of this application has been constructed to include the area immediately surrounding the Mount Isa Buchanan Park as well as the town of Mount Isa for visitors to take advantage of retail trade

opportunities at the start or end of the days' official events (as per Exhibit B). The National Retail Association believes this order would allow retailers to better cater for the needs of visitors and residents.

10. The National Retail Association is seeking the inclusion of Sunday, 21 June 2026 within this application. The event begins at 9am on Friday and closes at 10pm on Saturday night. Mount Isa is an extremely remote town, 121km from Cloncurry, 1,823km north-west of Brisbane and 904km west of Townsville. An attendee survey during the 2021 Mount Isa Mines Rodeo, a comparable event in the region, found that only 9.98% travelled to Mount Isa via air, and the rest of the respondents confirmed they travelled by road. The National Retail Association submits that it is extremely unlikely that out-of-town visitors will drive home after the events close at 10pm on Saturday. Therefore, we are seeking the inclusion of Sunday to allow local businesses to better service the needs of visitors for the entire duration of their stay.
11. We rely on earlier decisions regarding the Mount Isa Show (TH/2021/5, TH/2022/3, TH/2023/2, TH/2024/1, TH/2025/4), noting that in these circumstances, the Commission considered it appropriate to include the day after the event (Sunday) within the applicable period. Consideration was given to the "remoteness of Mount Isa and the large distances out of town visitors, competitors and exhibitors will no doubt be required to travel in order to attend the Show."

Commissioner Knight stated, *"I am satisfied on this occasion, there is some merit to the NRA's submission as to the value in extending the period for which the declaration applies to include 20 June 2021, such that both visitors and locals more broadly can take advantage of extended trading hours over what will no doubt be a particularly busy period"* [51](TH/2021/5).

12. The National Retail Association recognises the ongoing tremendous efforts of our essential retail team members who have continued to serve our community during the global COVID-19 pandemic and natural disasters, most recently during the January flood event in Mount Isa. We also recognise the necessary staff contribution for stores to trade additional hours. We understand that s 36BA applies in relation to an employee of shops in the area to which the declaration applies. As previously stated prior to the amendment of the Act, any work during extended hours will continue to be on a voluntary basis.
13. We have been advised by a non-exempt retailer within the area defined in Exhibit B that, should the Commission be minded to declare the Mount Isa Show a special event, they will open on Sunday 21 June. In preparation, the store manager sought expressions of interest from team members to opt in to be offered additional shifts if they are permitted to trade. The store manager reported an oversubscription of team member interest, exceeding the anticipated 20 positions available. The store manager also noted that cost-of-living pressures has led to many team members working two or three jobs and any opportunities to work additional hours, especially shifts that attract penalty rates, are welcomed.

The cultural significance of the event

14. The Mount Isa Show holds historical and cultural significance for the region, with the 2026 Mount Isa Show being its 44th iteration. The Mount Isa Agricultural Show positively contributes to the reputation of Queensland both nationally and internationally as an authentic representation and celebration of the Queensland agricultural community. The Show is one of many community events celebrating Queensland produce, livestock, skills and talents that are a source of pride and economic benefit to the local community.
15. The Mount Isa Show event features pavilion competitions and displays across multiple sections, including photography, cookery, woodwork, home brew, horticulture, poultry, scarecrows, and quilting. The event will also include tiny tots competition, demolition derby, equestrian events, pig races, car and motorcycle show, pets' parade, live entertainment and the 3B's Rodeo. These events provide popular sporting entertainment and highlight local talent as well as showcasing local agriculture and industry.

Sporting significance

16. In the past, the Committee held the Professional Bull Riding (PBR) Rodeo as the nighttime entertainment. However, the significant costs to run the event and the lack of reinvestment into the local economy outweighed the attendance drawcard. Since then, the event has started to recover with the introduction of the local 3B's rodeo event that targets the three parts of rodeo with the highest participation (bull ride, broncs and barrel), and opening the event to non-professional riders.
17. The 3B's Rodeo, sponsored by local pub The Buff's Club, will take place on Friday and Saturday night. Riders will compete across open, ladies and junior categories in bull ride, saddle bronc, barrel race events (<https://www.mountisashow.com.au/saturday-night-rodeo/>).

The significance of the event to the economy and the tourism industry

18. The Mount Isa Show attracted 8,000 attendees in 2021, 5,311 in 2023 and 4,944 in 2024, and over 5,000 in 2025.
19. The 2026 Mount Isa Show will see an increase in attendance this year by families with school aged children as the event will once again not fall on the first weekend of school holidays. When the show coincides with school holidays, the Committee consistently sees up to 1,000 less attendees as local families use this time to travel outside of the region. As the show holidays does not fall on school holidays this year, these families will be in town during the show and the Committee is anticipating higher attendance.
20. The Mount Isa Show sponsorship prospectus states "this event offers a great opportunity to have maximum exposure for their brand and business. Advertising coverage for the event is spread far and wide with a strong online and social media presence, which includes an informative website, Facebook and Instagram. In addition to the advertising and promotion, our event is a great media story that gains a lot of exposure." (https://www.mountisashow.com.au/wp-content/uploads/2026/02/2026-Isa-Show-Sponsorship_Package.pdf).
21. The Mount Isa City Council provided \$45,000 in event sponsorship, as well as nearly \$60,000 of in-kind support for venue and ancillary costs.
22. The Mount Isa Show also provides the opportunity for itinerant stall holders, entertainers and show ride operators from across Australia to operate. These individuals also typically restock, refuel, carry out repairs and shop for required items before and after the event. The 2026 Mount Isa Show features Amusements Plus Animal Farm, Big Top Entertainment, and Bubble Muffin Kids Cooking Club (<https://www.mountisashow.com.au/show-weekend-program-2025/>).
23. Following the 2025 Mount Isa Show, the total weekly sales for one non-exempt retailer during the event was 2% higher than the previous week and 7% higher than the following week.
24. The Mount Isa Show is a ticketed event at \$30 for adults, \$10 for children and free for children under 6 per day. Ticket sale revenue is invested back into the improvement of the Show and the local community.
25. The Mount Isa Future Ready Economy Roadmap underlines the importance of events that draw people to Mount Isa from across the North West and improved access to trades, retail and community services as key to enhancing the liveability of Mount Isa into the future (<https://www.mountisa.qld.gov.au/files/assets/public/v/3/council/documents/future-ready-economy-roadmap.pdf> p. 71). The Mount Isa Tourism Strategy 2020 to 2025 sets out a plan to establish the region as an outback tourism destination with its mission statement "*to be more than mining, rodeo, and a stop on the road.*" Events such as the Mount Isa Show support the Strategy to attract visitors to the region and diversify their regional tourism (<https://www.mountisa.qld.gov.au/City-Council/Corporate-Publications/Mount-Isa-Tourism-Development-Strategy-2020-2025>).

Demonstrated need for the application

26. One non-exempt retailer reported that over the 2025 Mount Isa Show weekend, customer foot traffic increased by 7.1 per cent compared to the week prior.
27. Mount Isa has a population of 23,000 people which swells during key annual events. The Mount Isa Show has historically welcomed between 4,000 and 8,000 attendees over the event, including inter- and intrastate visitors. Given the extreme remote location of Mount Isa, we submit that it is unlikely that out-of-town visitors will drive home after the events close at 10pm on Saturday. To meet the needs of both locals, visitors and out-of-town stallholders, National Retail submits that Mount Isa needs to have all available services open across the weekend.
28. The Mount Isa region shares its show holiday with remote Indigenous communities like Doomadgee and Mornington Island. We understand that residents also use this weekend at the start of school holidays to come to Mount Isa for the Show and to also shop for essential supplies for winter that are not available in the remote areas and are difficult to reach by freight.
29. The Mount Isa Show has been promoted across newspapers, radio, and blogs, from the Northwest Star to websites: Discover Mt Isa, Mount Isa Show, Outback Queensland, and the Mt Isa Council. The Mount Isa Show is covered in the media each year with articles appearing in the Northwest Star and Grey Nomads and has over 3,600 social media followers Facebook.

Conclusion

30. The National Retail Association emphasises that the granting of this application will not come at the expense of regulation and employees. This application allows flexibility for stores to trade and better cater for the needs of residents and visitors to Mount Isa. Our experience says that it is not likely that retail stores will use the full range of hours available to them and that they usually only open one to two hours on either side of their regular trading hours.
31. The National Retail Association submits that the Mount Isa Show is one of the most iconic regional shows in Queensland and clearly meets the Act criteria as a Special Event. We further submit that the Commission, should it be minded granting this application, could rely on the available evidence in support of the significance of the event.

May it please the Commission.



Matter No: / /

Form 21 – Certificate of Exhibit to Affidavit

Industrial Relations Act 2016, s 989
Industrial Relations (Tribunals) Rules 2011, r 53

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Matter details

Applicant:	National Retail Association, Union of Employers
	v
Respondent:	

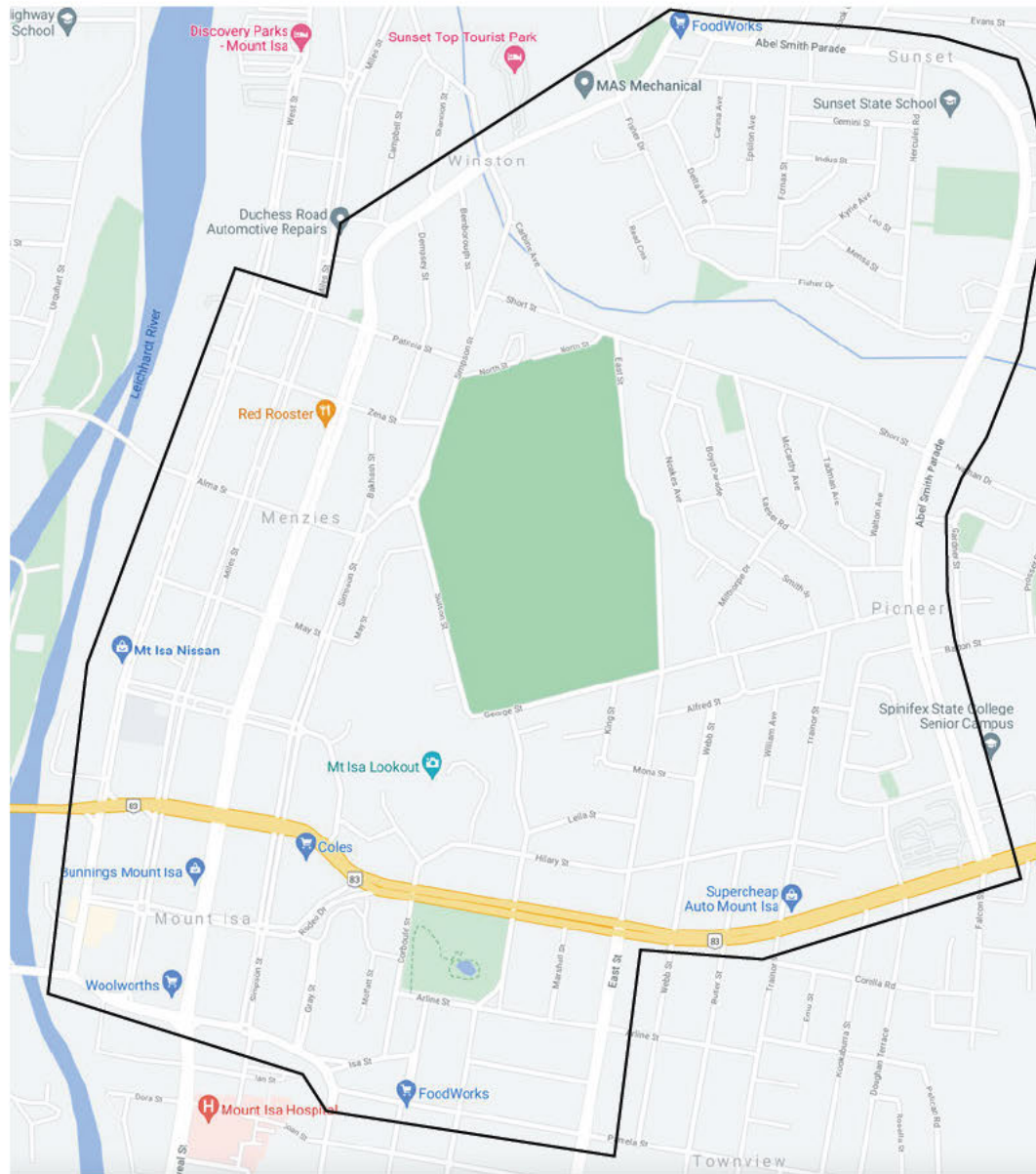
Exhibit details

Name of document:	Description of Location
Marked:	Exhibit B
Mentioned in the affidavit of:	David Stout

Signature

Full name of deponent/ substitute signatory:	David Stout
Signature of deponent/ substitute signatory:	
Full name of witness:	
Signature and type of witness:	
	<input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Commissioner for Declarations <input checked="" type="checkbox"/> Lawyer
Sworn/Affirmed at [place]:	Spring Hill
Date:	4/5/2020

Exhibit B – Description of Location



Starting at Abel Smith Parade turning south onto Sunset Dr through to Camooweal St then on to Patricia St and West St
Travelling south through to Isa St then onto Pamela St then to East St
Turning east onto Barkly Hwy then onto Abel Smith Parade to the starting point at Sunset Dr