

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Re: Kratzmann Caravans* [2016] QIRC 144

PARTIES: **Kratzmann Caravans**
(Applicant)

CASE NO: TH/2016/19

PROCEEDING: Application to amend Trading Hours - Non-Exempt
Shops Trading by Retail - State

DELIVERED ON: 19 December 2016

HEARING DATE: 16 December 2016

HEARD AT: Brisbane

MEMBER: Industrial Commissioner Knight

ORDERS: **Pursuant to section 22 of the *Trading Hours - Non-Exempt Shops Trading by Retail - State* the Application is approved as set out in paragraph 6 of the reasons for decision**

CATCHWORDS: INDUSTRIAL LAW - TRADING HOURS ORDER
- Application to amend *Trading Hours - Non-Exempt Shops Trading by Retail - State* - Order in relation to the South East Queensland Caravan, Boating, 4x4 and Adventure Expo 2017 - application not opposed - amendment made – application to approve the event for future years without further applications

CASES: *Trading (Allowable Hours) Act 1990* s22

APPEARANCES: Mr D. Lawrence for the Applicant
Mr J. Harding for the Australian Workers' Union of Employees, Queensland

Report on Decision

- [1] "Kratzmann Caravans ("the Applicant") has applied to the Queensland Industrial Relations Commission under the *Trading (Allowable Hours) Act 1990* ("the Act") for an order for fixed trading hours that will enable any non-exempt exhibitors to trade on Sunday 5 February 2017 at the South East Queensland Caravan, Boating, 4x4 and Adventure Expo 2017 ("the Event").

- [2] The application is the latest in a series of applications pursuant to s22 of the Act. Previous applications have resulted in approval of Sunday trading for the Expo for approximately 15 years.
- [3] The purpose of the current application is to allow non-exempt exhibitors to trade on Sunday, 5 February 2017 at the Event to be held at 194 Eastern Service Road, Burpengary. The Applicant has further applied for the Commission to make further orders such that non-exempt exhibitors would be able to trade on a Sunday for the purpose of the Event in future years without the Applicant being required to make further applications to the Commission.
- [4] The Australian Workers' Union of Employees, Queensland sought and was granted leave to appear in relation to the application. The Union appeared at the hearing of the application and told the Commission that it did not oppose the application for either order being sought on the basis that the Applicant undertakes:
- (a) that all work done by workers will be voluntary;
 - (b) that it will insist on adherence to modern award terms and payments of relevant award rates to workers; and
 - (c) future Events will subject to the same conditions as the 2017 Event.
- [5] Having considered Mr Kratzmann's application, and in the absence of any objection to the application being granted, I am satisfied that the Order sought should be granted.
- [6] I direct that the Order be made in the following terms:

'Kratzmann Caravans (TH/2016/19)

**TRADING HOURS - NON-EXEMPT EXHIBITORS -
[SOUTH EAST QUEENSLAND CARAVAN, BOATING, 4x4 AND
ADVENTURE EXPO 2017]**

ORDER

Further to the hearing before the Commission at Brisbane on 16 December 2016, this Commission orders as follows as from 19 December 2016:

- (1) Notwithstanding the provisions of any other Order to the contrary, this Order shall apply to the non-exempt shops of exhibitors at the special exhibition known as the "South East Queensland Caravan, Boating, 4x4 and Adventure Expo 2017" to be held at Kratzmann Caravans, Kratzmann Place, 194 Eastern Service Road, Burpengary, Queensland. Non-exempt shops of exhibitors will be permitted to trade on one (1) Sunday in the month of January or February, every year, commencing in 2017.
- (2) That the trading hours/opening and closing hours of the abovementioned Expo shall be as follows:

	Opening Time	Closing Time
Sunday	8.00 am	5.00 pm

- (3) That the employees of companies mounting displays or exhibits be engaged on a voluntary basis only. '

[7] The operative date of the amendment is 16 December 2016. "