



## Statement in relation to alleged breaches by Woolworths of retail trading laws

On Anzac Day 25 April 2016 NSW Industrial Relations (NSW IR) received complaints alleging that supermarkets trading as Woolworths Supermarket (Woolworths) breached provisions of the *Retail Trading Act 2008* in respect to shops being prepared by staff prior to 1pm on that day.

Following an investigation into the complaints and the examination of records it is now known that Woolworths sought verbal advice from NSW IR on 15 March 2016 in relation to Easter and/or Anzac Day retail trading. It appears that the verbal advice provided was unclear or ambiguous. Written advice was not provided.

I have been informed by Woolworths that it relied on the advice and permitted some staff to work in a number of stores, albeit on a 'volunteer' basis, before 1pm on Anzac Day. NSW retail trading laws do not permit such activity unless there is an exemption in place.

It is my view that NSW IR has a responsibility to always provide clear and unambiguous advice.

I have apologised to Woolworths for the unclear advice.

In view of the unclear advice provided by NSW IR it has been decided that no further action will be taken with respect to any breaches of NSW retail trading laws in this instance.

I am taking this opportunity to remind all stores of their obligations in relation to NSW retail trading laws and in particular the requirement around restricted trading days. On restricted trading days stores are not permitted to open or prepare to trade unless they have a written exemption.

NSW IR is reviewing its processes for providing advice to customers to ensure this situation doesn't reoccur. The website is also being updated to ensure the advice on retail trading on restricted trading days is clear to all.

Vicki Telfer  
**Executive Director**  
**NSW Industrial Relations**