



Archbishop of Sydney

10 November 2015

The Rev. the Hon. Fred Nile MLC
The Hon. Paul Green
Parliamentary Leader Christian Democratic Party
Assistant President NSW Legislative Council
NSW Parliament
SYDNEY NSW 2000

Via Email: fred.nile@parliament.nsw.gov.au
kay.allen@parliament.nsw.gov.au

Dear Fred and Paul

Greetings.

I met with the Board of the NSW Council of Churches this morning, which comprises the Heads of the major Protestant Churches in the State. We discussed the Retail Trading Amendment Bill 2015 and the amendments that were discussed with you both and the Minister for Industrial Relations in her office last Friday week.

While some reluctance was expressed with regard to any legislative change which might diminish family time, we all agreed that the current legislation is both anomalous and discriminatory. However, we believe that the amendments which are being proposed by the Christian Democratic Party to the Government's Amendment Bill significantly address the current anomalies across the State as to who may trade and who may not trade on Boxing Day.

In particular, the following points have convinced us to give our public support to the Bill which includes the above mentioned amendments, and with which the Minister for Industrial Relations has agreed to support.

1. The current legislation (proposed by a former Labor Government) is manifestly unjust, providing a landscape of inconsistencies across the State with respect to trading on Boxing Day, whereas the new legislation provides not only consistency across the State, but genuine protections for employees who do not wish to work on Boxing Day, with a fine attached, per employee, for any breach of the Act.
2. The new legislation also provides protection for businesses who do not wish to open on Boxing Day, with a fine attached for any breach of the Act.
3. Furthermore, there is an absolute ban on employees working behind the scenes (unpacking, delivering etc) on Christmas Day, Good Friday, Easter Sunday and Anzac morning, which as a new provision, directly protects workers.

The Most Rev Dr Glenn N Davies

Anglican Diocese of Sydney

St Andrew's House, Sydney Square · PO Box Q190, QVB Post Office NSW 1230

Telephone: +61 2 9265 1521 · Email: archbishop@sydney.anglican.asn.au

4. The appointment of an independent review to commence by 1 March 2017 and be completed by 1 September 2017 to investigate the effectiveness of the legislation, particularly with regard to the protection of workers, is also a welcome provision.
5. Whatever the outcome of the review, the Amendment Act will lapse, due to a sunset clause in the new legislation will lapse within two years. Thus new legislation will be required to continue the changed working conditions on Boxing Day. I have no doubt that the CDP and the Heads of Churches will be very interested in the outcome of the review, which will determine the nature of our support for the continuation or modification of the changed conditions for trading on Boxing Day in the future.

Although the Rev. Keith Garner, Director of Wesley Mission and the Roman Catholic Archbishop of Sydney, the Most Rev. Dr Anthony Fisher are not members of the NSW Council of Churches, in discussion with both of these men, they have indicated their broad support for the amendments to the Bill as outlined above.

I trust the above is helpful to you both as you engage in debate on the Bill in the Legislative Council in the near future.

With every good wish

Grace and peace



Glenn N Davies
Archbishop

Copy: The Hon. Gladys Berejiklian