



DETERMINATION

Fair Work Act 2009

s 160—Application to vary a modern award to remove ambiguity or uncertainty or correct error

Application by The Australian Retailers Association

(AM2024/9)

Variation on the Commission’s own motion

(AM2023/17)

GENERAL RETAIL INDUSTRY AWARD 2020

[\[MA000004\]](#)

Retail industry

JUSTICE HATCHER, PRESIDENT
DEPUTY PRESIDENT CLANCY
COMMISSIONER MATHESON

SYDNEY, 2 APRIL 2024

Proposed variation on the Commission’s own motion – separate application by The Australian Retailers Association – General Retail Industry Award 2020 clause 15.2(c) – ‘establishment’ v ‘retailer’ – retrospective operation.

- A. Further to the decision [\[\[2024\] FWCFB 197\]](#) issued by the Full Bench today, 2 April 2024, the above award is varied by replacing current clause 15.2(c) with the following:
- ‘(c) until 11:00 pm on all days of the week if the trading hours of the retailer extend beyond 9:00 pm on a Monday to Friday or 6:00 pm on a Saturday or Sunday.’
- B. This determination is made retrospectively and comes into operation on 1 October 2020. In accordance with s 165(3) of the *Fair Work Act 2009* (Cth) this determination does not take effect in relation to a particular employee until the start of the employee’s first full pay period that starts on or after 1 October 2020.



PRESIDENT

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