

# Local Easter Sunday Shop Trading Policy



## 1. Introduction

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This policy is made under Subpart 1 of Part 2 of the Shop Trading Hours Act 1990 (the Act). The purpose of the Act is to regulate the opening of shops on Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day. The Act was amended in 2016 to allow Councils to have a policy to permit shops to open on Easter Sundays. The restrictions applying to Anzac Day morning, Good Friday and Christmas Day remain unchanged.

Previously most shops in most districts around New Zealand were unable to open for trade on Easter Sunday because of the day's status as a restricted trading day under the Act.

The Act allows shops selling certain types of goods (examples include dairies, service stations, take away bars, restaurants and cafés, garden centres and duty free stores) to remain open on the restricted trading days.

Some tourist areas have been given exemptions to open on Easter Sundays but there was previously no mechanism to allow for further exemptions to be granted.

Council recognises the importance of tourism-related trade and other trade to the Central Otago economy on Easter Sunday. This Policy provides businesses with the option to trade on Easter Sundays.

## 2. Scope of policy

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This Policy applies to the whole of the Central Otago District. A map of the Central Otago District indicating the area to which this Policy applies is appended to the Policy.

This Policy does not apply to the sale or supply of alcohol which is regulated under the Sale and Supply of Alcohol Act 2012.

## 3. Shop trading permitted

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Shop trading is permitted on Easter Sundays throughout the Central Otago District.

## 4. Shop employees' right to refuse to work

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Easter Sunday continues to be a day of significance across New Zealand and some people would rather not work on this day.

There are 'right to refuse' provisions that allow employers to negotiate freely, and means that all shop employees will have the ability to refuse to work on Easter Sunday without any repercussions for their employment relationship. For the purposes of this Policy—

a **shop** is a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include—

- (a) a private home where the owner or occupier's effects are being sold (by auction or otherwise); or
- (b) a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or

- (c) a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.

## 5. Review

This Policy will be reviewed no later than 5 years after the date of the adoption of the Policy. (adopted January 2017).

