****

EASTER SUNDAY SHOP TRADING POLICY

|  |  |
| --- | --- |
|  |  |
| Name of Policy: | Easter Sunday Shop Trading |
| Purpose of Policy: | To enable shops to trade on Easter Sunday if they wish |
| Policy Applies to: | To the whole of the Kaikōura District |
| Approved by: | Executive Team |
| Responsible for its Updating | Executive Officer |
| Final Approval by: | Executive Team |
| Policy First Issued | March 2017 |
| Proposed Date of Review | November 2026 |
|  |  |

**TABLE OF CONTENTS**

Table of Contents

1. INTRODUCTION3
	1. Purpose3
2. POLICY STATEMENT 3
3. SHOP TRADING PERMITTED3
4. EMPLOYEE AND EMPLOYER CHOICE4
5. DEFINITIONS4
6. POLICY ADMINISTRATION4
7. APPENDIX 1 – MAP OF KAIKŌURA DISTRICT5
8. **INTRODUCTION**
	1. **Purpose**

The purpose of this policy is to enable shops to trade on Easter Sunday if they wish.

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.

Currently most shops in most districts around New Zealand are 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 cafes, 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 is currently no mechanism to allow for further exemptions to be granted.

Council recognises the importance of tourism-related trade and other trade to the Kaikōura economy on Easter Sunday. Now, local communities have the choice of whether or not to allow shop trading on Easter Sunday.

1. **POLICY STATEMENT**

This policy applies to the whole of the Kaikōura District.

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

1. **SHOP TRADING PERMITTED**

Shop trading is permitted on Easter Sundays through out the whole of the Kaikōura District as defined by the map in Appendix 1.

The choice to open rests with each individual retailer. The policy neither requires shops to open, or individuals to shop on Easter Sunday.

This policy does not:

1. apply to any day other than Easter Sunday
2. control the types of shops that may open, or their opening hours
3. apply to the sale and supply of alcohol on Easter Sunday from licenced premises, which is regulated by the Sale and Supply of Alcohol Act 2012.

Council is not responsible for the enforcement of this Policy. Enforcement will be undertaken by the central government that is responsible for the administration of the Act.

1. **EMPLOYEE AND EMPLOYER CHOICE**

Council recognises that Easter Sunday is a day of significance across New Zealand and some people will choose not to work on this day. Subpart 2 of Part 2 of the Shop Trading Hours Act 1990 includes a workers choice provision that outlines a shop employee’s right to refuse to work on Easter Sunday.

1. **DEFINITIONS**

For the purpose of this policy:

Shop means 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, a barrow, stall, or other subdivision of a market; but does not include:

1. A private home where the owner or occupier’s effects are being sold (by auction or otherwise); or
2. 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
3. A building or place where the only business carried on is that of selling goods to people who ae dealers and buy the goods to sell them again.
4. **POLICY ADMINISTRATION**

6.1 Review

In accordance with Section 5C (2) of the Shop trading Hours Amendment Act 2016 this Policy must be reviewed within five years of its adoption. The special consultative procedure must be used to review, revoke, replace or continue this policy without amendment.

6.2 Relevant legislation

Shop Trading Hours Act 1990.

6.3 Policy adopted

This policy was first adopted by Kaikōura District Council on 15 March 2017, with a review completed on 23 February 2022.

**APPENDIX 1 - MAP OF KAIKŌURA DISTRICT**

