

Draft Easter Sunday Shop Trading Policy 2023

Group responsible: Group Manager Infrastructure and Environmental Services

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Purpose

The purpose of this policy is to allow all shops in the Southland District to open on Easter Sunday. This policy will:

- Promote ease of business
- Recognise the needs of the retail and tourism sectors
- Apply a consistent and simple approach to Easter Sunday shop trading

Background

Easter Sunday is a restricted trading day under the Shop Trading Hours Act 1990 (the Act) which requires every shop to remain closed, except certain shops under certain conditions. In 2016, the Act was amended to enable Councils to introduce a policy permitting all shops to trade on Easter Sunday.

Councils can apply their policy to the whole of its district, or any part or parts of its district. A policy cannot specify opening hours, types of shops that may open, or for what purposes a shop may open.

In 2017, Council adopted their first Easter Sunday Shop Trading Policy which allowed all shops in the Southland District to open if they chose to.

Policy details

This policy continues to allow all shops in the whole of the Southland District to open on Easter Sunday. A map outlining the boundary of the Southland District is attached, as is legally required by the Act.

Right to refuse to work

Employers must comply with the provisions relating to a Shop Employees right to refuse to work, as is set out in the Act and in the Employment Relations Act 2000. Employers and Shop Employees must also give notice in accordance with the time provisions set out in the Act.

Sale and Supply of Alcohol

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

Review

This policy will be reviewed in 10 years unless a review is required in the interim.

Definitions

TERM	MEANING
SHOP	<p>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 -</p> <ul style="list-style-type: none"> (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
EMPLOYER	<p>Has the same meaning as in Section 5 of the Employment Relations Act 2000 - <i>means a person employing any employee or employees; and includes a person engaging or employing a homeworker</i></p>
SHOP EMPLOYEE	<p>Means an employee within the meaning of Section 6 of the Employment Relations Act 2000 who works in or from a shop - <i>means any person of any age employed by an employer to do any work for hire or reward under a contract of service</i></p>

