

Easter Sunday Shop Trading Policy

2017

Easter Sunday Shop Trading Policy

1. Introduction

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 Council's 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 Marlborough economy on Easter Sunday. Now, local communities have the choice of whether or not to allow shop trading on Easter Sunday.

2. Scope of policy

This Policy applies to the whole of the Marlborough District.

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

3. Shop trading permitted

Shop trading is permitted on Easter Sundays throughout Marlborough.

4. Shop employees' right to refuse to work

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 in the Act allow employers and employees 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.

the **Marlborough District** is that area of approximately 12,484 square kilometres in the north-east corner of the northern South Island. It is bounded to the north by the Tasman Sea and Cook Strait, to the west by a line down the centres of the South Island, approximately 200 kilometres long, encompassing the Bryant Range and the Richmond and St Arnaud Ranges. The Boddington Range and Mt Sebastopol mark the southern boundary. Part of the eastern boundary is defined by the Inland Kaikoura Range which separates Marlborough from the Kaikoura District. The balance of the eastern boundary borders the Pacific Ocean. The extent of the District is shown on the map below and includes the Wairau/Awatere Ward, the Blenheim Ward and the Marlborough Sounds Ward as shown on the map.

