

Easter Sunday Trading Policy – Golden Bay

This Easter Sunday Trading Policy enables shops in Golden Bay to trade on Easter Sunday if they wish.

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| Effective date: | 24 February 2022 |
| Review due: | 23 February 2027 |
| Legal compliance: | Local Government Act 2002, Shop Trading Hours Act 1990 – Part 2 Subpart 1 |

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Background

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 are unable to open for trade on Easter Sunday because of the day's status as a restricted trading day under the Act, except for those listed in Schedule C of this Policy and all shops in districts around Aotearoa New Zealand which have adopted an Easter Sunday Trading Policy.

The Council and the Golden Bay Community Board recognise the importance of tourism-related trade and other trade to our local economy. We also note that it is important to provide services to visitors to the region, including on Easter Sunday.

Shop Trading Permitted

Under this Policy **any shop is permitted to open on Easter Sunday throughout the Golden Bay Ward** (see Schedule A).

This Policy does not affect the regulation of the sale and supply of alcohol on Easter Sunday; this is regulated under the Sale and Supply of Alcohol Act 2012.

Employers and Employees

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

Under the Act, employers must notify employees if they want them to work on Easter Sunday.

There are 'right to refuse' provisions in the Act which allow employers and employees to negotiate freely. This means that all shop employees will have the ability to refuse to work on Easter Sunday without any repercussions to their employment relationship.

Employers have an obligation under the Act to notify shop employees of their right to refuse to work on Easter Sunday. Employers and employees should become familiar with their obligations and rights under the Act.

Enforcement of this provision is carried out by the Ministry of Business, Innovation, and Employment.

Schedule A: Map of the Golden Bay Ward



Schedule B: Definitions

For the purpose of this Policy:

The **Golden Bay ward** is approximately 2,588 km² of land in the north-west corner of the northern South Island. It is bounded by the Tasman Sea and Cook Strait. It is protected in the north by Farewell Spit, a 26 km long arm that is the country's longest sandspit. To the east, the ward cuts through the Arthur Range. The southern boundary of the ward cuts through north-eastern parts of Kahurangi National Park. The extent of the ward is shown on Schedule A and includes townships such as Collingwood, Tākaka, and Pōhara.

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:

- a private home where the owner or occupier's effects are being sold (by auction or otherwise)
- 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
- 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.

Schedule C: Businesses allowed to trade on Easter Sunday under the Act

- Small grocers e.g. dairies, fruit and vegetable marts
- Service stations
- Pharmacies
- Take-away food outlets
- Restaurants
- Cafes
- Souvenir stores
- Duty free shops
- Garden centres
- Service providers e.g. a hairdresser, as so long as they don't sell hair products
- Real estate agencies
- Shops at exhibitions or shows where they are related to primarily agriculture, art, industry, and science