



Kaipara District Council Easter Sunday shop Trading Policy

Easter Sunday Shop Trading Policy			
Primary Audience	External	Business owner	Policy
Policy type	Statutory	Act	Shop Trading Hours Act 1990
Author	Policy Analyst	Date last reviewed	29 September 2021
Adopted	Council	Next review date	2026

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1. Objective

- 1.1 The objective of the Easter Sunday Shop Trading Policy (the Policy) is to allow shops the choice to trade on Easter Sunday if they wish to. The Policy neither requires shops to open, employees to work or individuals to shop on Easter Sunday.

2. Background

- 2.1 This Policy is made under Part 2 (subpart 1) of the Shop Trading Hours Act 1990 (the Act) which enables Council to establish a local Policy to allow shops to open on Easter Sunday. Under the Act –

“(1) A territorial authority may have a local Easter Sunday shop trading policy to permit shops to open on Easter Sunday in an area comprising –

- (a) the whole of the district; or
- (b) any part or parts of its 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 2012. The Policy is required to be reviewed within five years of its adoption.

3. Policy Statement

- 3.1 Kaipara District Council will permit shops to trade in the whole of the Kaipara district on Easter Sunday as provided for under the Shop Trading Hours Act 1990 (see attached map).

4. Exemptions

- 4.1 This Policy does not:
- (a) Control the types of shops that may open or their opening hours¹.
 - (b) Limit Council's ability to undertake its duties, powers or functions under any other Act (i.e. the regulation of the Sale and Supply of Liquor does not allow alcohol to be sold).
 - (c) Compel shop employees or require shop employees work on Easter Sunday. For the avoidance of doubt shop employee rights are governed by the Act².
- 4.2 Council is not responsible for the enforcement of this Policy. Enforcement is undertaken by the central government department that is responsible for the administration of the Act.

5. Definitions

- 5.1 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:

¹ As per the requirements of Part 2, Subpart 1, 5A (1A) of the Act.

² Refer to Part 2, subpart 2, 5G-5L of the Act.

- (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 buying the goods to sell them again.

5.2 Kaipara District means the area of jurisdiction of the Kaipara District Council (see attached map).

6. Map of the Kaipara District

