



Hauraki District Council

**Local Easter Sunday
Shop Trading Policy**

2017



www.hauraki-dc.govt.nz

Hauraki District Council
PO Box 17, Paeroa 3640
1 William St, Paeroa

Ph: 07 862 8609 or
0800 734 834 (within the District)
Email: info@hauraki-dc.govt.nz

1. INTRODUCTION

This Local Easter Sunday Shop Trading Policy (Policy) sets out the Hauraki District Council's decision on allowing shop trading in the Hauraki District on Easter Sunday. It is made in accordance with Part 2 of the Shop Trading Hours Act 1990 (the Act).

A policy provides councils with the ability to allow shops to open on Easter Sunday in their entire District or any part or parts of their District.

A policy cannot:

- control the types of shops that may open, or their opening hours;
- limit the Council's ability to undertake its duties, powers or functions under any other Act;
- apply to the sale and supply of alcohol which is regulated under the Sale and Supply of Alcohol Act 2012;
- address shop employee rights, which are governed by the requirements of the Act.¹

2. OBJECTIVE

The purpose of this Policy is to create a consistent approach to shop trading on Easter Sunday in the Hauraki District by permitting all shop owners/operators to open their shops on Easter Sunday if they choose to.

3. POLICY

3.1 Any shop is permitted to open on Easter Sunday throughout the whole of the Hauraki District.

3.2 Attached as Schedule One is an indicative map of the Hauraki District which shows the three Wards (geographical areas) and settlements that make up the District.

4. ENFORCEMENT

The 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.²

¹ Refer to Part 2, subpart 2, 5G – 5L of the Act. For the avoidance of doubt, shop employees have the right to refuse to work on Easter Sunday.

² At the time of writing the Ministry responsible is the Ministry of Business, Innovation and Employment.

5. GLOSSARY

Unless the context requires otherwise, the definitions of words or terms used in this Policy that are also used in the Shop Trading Hours Act 1990 are those defined in that Act.

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, 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.


Goods includes all personal chattels other than alcohol (within the meaning of the Sale and Supply of Alcohol Act 2012), money, and things in action.³

6. REVIEW

This Policy will be reviewed:

- i. within five years after the first Policy is adopted by the Council and then at intervals determined by the Council, or
- ii. earlier than five years at the request of the Council.

7. DOCUMENT MANAGEMENT

 H A U R A K I D I S T R I C T C O U N C I L	Title:	Local Easter Sunday Shop Trading Policy 2017		
	Sponsor:	Strategic Planning Team		Approved By:
	Strategic Planning Team		Hauraki District Council	
	Adopted:	Review By:	Version:	File Ref:
	22 February 2017	February 2022	Final	F1611014
Property of the Hauraki District Council				

³ Examples of 'things in action' include debts of all kinds, the benefits of contracts, policies of insurance or assurance, company shares, beneficial interests under wills, and many other property interests.

SCHEDULE ONE

