



Rangitikei
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Statement of Proposal

Draft Local Easter Sunday Shop Trading Policy

Reason for the Proposal

The Shop Trading Hours Act 1990 (the Act) provides for restricted trading days on Anzac Day morning, Good Friday, Easter Sunday and Christmas Day. The Act allows shops selling certain types of goods (for example, dairies, service stations, pharmacies, take away food sellers, restaurants, cafes, souvenir stores and garden centres) to remain open on the restricted trading days.

The Act was amended in 2016 to enable territorial authorities to create local policies to allow wider shop trading across their entire district or in designated areas on Easter Sunday. The local policies can only permit shop trading on Easter Sunday but cannot place other conditions around shop trading (for example types of shops, times of opening etc.). Policies cannot apply to the sale or supply of alcohol which is regulated under the Sale and Supply of Alcohol Act.

Rangitikei District Council recognises the importance of the retail sector to the district, particularly the through-traffic associated with the state highways. Many of the retail businesses in these areas are already permitted to trade on Easter Sunday through the existing exemptions. However, Council also acknowledges that there may be parts of the District where the community would prefer the status quo (i.e. that there is limited shop trading on Easter Sunday).

Council is considering whether Easter Sunday shop trading should be permitted throughout the District and/or whether it should be restricted in certain Wards. It considers that this is a matter for local communities to decide. Council is therefore seeking feedback from its communities and shop owners on whether they would welcome wider Easter Sunday Shop Trading in their community.

More Information

Where to get a copy of the Summary of Information and submission form

The Summary of Information and the submission form may be collected from Council's libraries in Bulls, Marton and Taihape, from the Council's Main Office in Marton, or from the Council's website www.rangitikei.govt.nz. You may request a copy be posted to you by calling 0800 422 522.

Period for Consultation

Written submissions on the Local Easter Sunday Shop Trading Policy may be made from **Tuesday, 11 October 2016 until 12 noon Friday, 11 November 2016.**

Those who make a written submission may choose to make an oral submission. Hearings of oral submissions are scheduled for **Thursday, 1 December 2016 at the Council Chambers in Marton**. Please indicate on your submission form if you wish to speak to your submission.

If you have any questions please contact Denise Servante, Strategy and Community Planning Manager on 0800 422 522.

LOCAL EASTER SUNDAY TRADING POLICY 2016



Date of adoption by Council		To be confirmed
Resolution Number		To be confirmed
Date by which review must be completed		Within 5 years
Relevant Legislation		Shop Trading Hours Act 1990 (Part 2 s5A)
Statutory or Operational Policy		Statutory
Included in the LTP		No

1 Introduction and Background

To be inserted following the special consultation procedure and prior to adoption.

2 Scope of the Policy

2.1 Shop trading is permitted on Easter Sundays.

Either

The whole of the Rangitikei District (map to be attached)

Or

Bulls Ward / Marton Ward / Turakina Ward/ Hunterville Ward/ Taihape Ward¹ (map to be attached)

¹ Delete as applicable. Community views are being sought through a special consultative procedure on the geographical scope of Easter Sunday shop trading. If all communities decide that Easter Sunday shop trading should not be permitted, then the draft policy will not be adopted and the provisions of the Shop Trading Hours Act 1990 will apply throughout the District.

2.2 For the purposes of this policy, the meaning of a shop is the same as defined in section 2 of the Act:

- 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

2.3 Under the Act, a local Easter Sunday Shop Trading Policy may not—

(a) permit shops to open only for some purposes; or

(b) permit only some types of shops in the area to open; or

(c) specify times at which shops may or may not open; or

(d) include any other conditions as to the circumstances in which shops in the area may open.

2.4 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 employees' right to refuse to work

3.1 All shop employees have the ability to refuse to work on Easter Sunday without providing a reason to their employer. There are "right to refuse" provisions in the Act which means that all employees will have the ability to refuse to work on Easter Sunday without any repercussions for their employment relationship.

4 Review

4.1 This policy will be reviewed within five years of adoption.