

Easter Sunday Shop Trading Amendment Bill

Member's Bill

Explanatory note

This Bill grants a partial exemption from the Shop Trading Hours Act Repeal Act 1990 to allow shops in communities with a significant visitor industry to open on Good Friday and Easter Sunday during the period from 10am to 5pm.

Tourism is a 365-day a year industry and is one of New Zealand's largest contributors to both gross domestic product and goods and services tax.

The purpose of this Bill is to recognise the nature of the retail environment in communities with a significant visitor industry, acknowledging the business community and allowing it to service and satisfy the retail demand accordingly.

Jacqui Dean

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Easter Sunday Shop Trading Amendment Act **2006**.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent. 5

3	Principal Act amended This Act amends the Shop Trading Hours Act Repeal Act 1990.	
Part 1		
Preliminary provisions		5
4	Purpose The purpose of this Act is to grant a partial exemption to shops in visitor districts from the requirement in the Shop Trading Hours Act Repeal Act 1990 to be closed on Good Friday and Easter Sunday.	10
5	Interpretation Section 2 is amended by inserting the following definitions in their appropriate alphabetical order: “ employment agreement has the meaning given to it by section 5 of the Employment Relations Act 2000 “ mandatory opening provision has the meaning given to it by section 8(3) “ visitor district means any district listed in Schedule 2 ”.	15
Part 2		
Amendments to principal Act		20
6	Certain shops may remain open Section 4(2) is amended by adding the following paragraph: “(c) The shop is located in a visitor district listed in Schedule 2 , and is open only between 10 am to 5 pm on both Good Friday and Easter Sunday.”	25
7	Consequential protection for certain shop workers (1) Section 7 is amended by inserting the following subsections after subsection (6): “(6A) Protective provisions referred to in subsections (5)(b) and (6)(b) may be inserted into industrial documents covering shop workers employed in a visitor district only by agreement between parties. “(6B) Subsection (6A) does not apply to an employment agreement relating to a person who is a shop worker employed to work in, or from, or in relation to, any shop in a visitor district that,	35

before the commencement of this Act, was allowed to be open on Good Friday or Easter Sunday under the Shop Trading Hours Act Repeal Act 1990.”

(2) Section 7 is amended by adding the following subsection:

“(10) For the purposes of this section, **employment agreement** has the meaning given to it by section 5 of the Employment Relations Act 2000.” 5

8 Effect of certain provisions in leases, etc

Section 8(2A) is amended by omitting “to which section 4A applies to open on Easter Sunday”, and substituting the following paragraphs: 10

“(a) to open on Easter Sunday, if the shop is a garden centre to which section 4A applies; or

“(b) to open on Good Friday and Easter Sunday during the period from 10am to 5pm unless agreed to by the parties to the employment agreement, if the shop is located in a visitor district.” 15

s 5

**Schedule
New Schedule 2 added**

s 2

**Schedule 2
Visitor districts to which this Act applies** 5

Wanaka district, meaning all that area comprised within a radius of 25 kilometres from the Post Shop situated at 39 Ardmore Street, Wanaka.

Tauranga District, meaning all that area comprised within 30 kilometres from the Chief Post office Tauranga. 10