

INTERFACE BETWEEN THE SHOP TRADING HOURS ACT REPEAL ACT 1990, SALE OF LIQUOR ACT 1989 AND HOLIDAYS ACT 2003

November 2007

SUBMISSION FORM

INTERFACE BETWEEN THE SHOP TRADING HOURS ACT REPEAL ACT 1990, SALE OF LIQUOR ACT 1989 AND HOLIDAYS ACT 2003

Please note that any submissions that you make may be the subject of a request under the Official Information Act 1982. To assist the Ministry of Justice and Department of Labour with the processing of any such requests, you will be requested to indicate at the beginning of your submissions whether or not you would like the contents made a matter of public record. Any request for non-disclosure will be considered in terms of the Official Information Act.

Please indicate if you (please type X in the appropriate box):

- Would be happy for your submission to be released, or
- Would like to be consulted prior to the release.

Information about you (optional)

This submission was made by:

Name: _____

Postal Address: _____

Organisation (if applicable): _____

Role/Position (if applicable): _____

Please answer as many or as few questions as you would like. Please give reasons for your views. You may attach additional pages for your submission.

1. Do you consider that New Zealand law should in general treat Easter as a holiday weekend? What are your reasons?

2. Do you consider that the inconsistencies described above between the Shop Trading Hours Act Repeal Act 1990 and the Sale of Liquor Act 1989 and the Holidays Act 2003 need to be addressed? For example, if special rules apply over the Easter weekend should they be consistent in terms of shop trading hours, sale of liquor and statutory holidays? Please explain why or why not.

3. Do you agree with the impact of the inconsistencies described above? Can you think of any other impacts from these inconsistencies? Is there a difference when considered from the perspective of the business owner, the employee and the customer?

4. Which one of the following statements best describes your view and why?
- a. Shop trading and sale of liquor rules on Easter Sunday should remain as they currently are (status quo).
 - b. Either or both the shop trading and sale of liquor (delete one if you wish) rules should allow for some areas or businesses to have exemptions from trading restrictions on Easter Sunday.
 - c. Either or both the shop trading and sale of liquor (delete one if you wish) rules on Easter Sunday should be the same as any other weekend.

5. If an exemption-making power is reinstated, how would you prefer to see it implemented (e.g. should local authorities or the Minister of Labour make the decision)? Please explain your view.

6. If an exemption-making power is reinstated, what criteria do you think should be applied to the granting of exemptions (e.g. is the area a significant tourist or holiday destination)?

7. If the exemption-making power is reinstated, should shop trading and sale of liquor restrictions/exemptions be considered at the same time? Please explain why or why not.

8. What information do you have on the potential costs/benefits of any of these options? Please provide any supporting information.

9. Do you consider that Easter Sunday should or should not be treated as a public holiday? Please explain why or why not.

10. If you consider Easter should be treated as a public holiday, which one of the following statements best describes your view and why?

- a. Increase the number of public holidays to 12 by making Easter Sunday the 12th public holiday
- b. Maintain the number of public holidays at 11 by making Easter Sunday a public holiday, subject to 'mondayisation' arrangements similar to Christmas and New Year holidays when they fall on Sunday
- c. Treat Easter Sunday as if it were a public holiday for employees of businesses affected by new amendments to the Shop Trading Hours Act Repeal Act 1990 or the Sale of Liquor Act 1989. This would not apply to those that are currently able to trade under an exemption or exception.

11. What information do you have on the potential costs/benefits of any of these options? Please provide any supporting information.

12. If there are changes to shop trading and sale of liquor restrictions do you consider that there should be additional protections for employees? Please explain why or why not.

13. Do you consider that the above proposals are adequate and appropriate? Please explain why or why not.

14. If there are changes to shop trading and sale of liquor restrictions do you consider that employee protections should be targeted to only apply to employees in businesses affected by these changes? Please explain why or why not.

15. If there are changes to shop trading and sale of liquor restrictions do you consider that there should be additional protections for leaseholders? Please explain why or why not.

16. Do you consider that the above proposals are adequate and appropriate? Please explain why or why not.

17. If there are changes to shop trading and sale of liquor restrictions do you consider that leaseholder protections should be targeted to only apply to businesses affected by these changes? Please explain why or why not.

18. Do you consider that penalties for breaching shop trading restrictions need to be increased? If so, which option or options do you support for increasing penalties? Please explain why you do or do not support this option or options.

19. Do you consider that Labour Inspectors' powers of enforcement need to be increased? If so, is this option adequate and appropriate? Please explain why you do or do not think this is the case.

20. Do you have any other comments?
