

Shop Trading Hours Amendment Bill

7 October 2015

Hon Christopher Finlayson QC, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Shop Trading Hours Amendment Bill

1. We have considered whether the Shop Trading Hours Amendment Bill ('the Bill') is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 ('the Bill of Rights Act').

2. The Bill amends the Shop Trading Hours Act Repeal Act 1990 in the following ways:

- Amends the name of the Shop Trading Hours Repeal Act 1990 to the Shop Trading Hours Act 1990;
- Allows territorial authorities to enact bylaws within their districts to allow trading on Easter Sunday with certain conditions;
- Sets out the consultative procedure for enacting bylaws and provides for a mandatory review process;
- Provides protections for shop workers where a territorial authority enacts bylaws that allow shop trading in their area.

- Shop workers have the right to refuse work on Easter Sunday without giving a reason.

- Shop workers have the right to take a personal grievance to the Employment Relations Authority if their employer compels the employee to work on that day or does anything that result in adverse treatment of the employee because they refuse to work on Easter Sunday.

3. We consider that the Bill does not engage the right to freedom of thought, conscience, and religion under s 13 or the right to manifestation of religion or belief under s 15 of the Bill of Rights Act and therefore appears to be consistent with that Act.

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