

10 February 2010

Eden Digital Limited
PO Box 305 229
Triton Plaza
North Shore City 0757

Department of Labour
TE TARI MAHI



Dear Mr Crow,

Thank you for your enquiry dated 8 February 2010 concerning whether or not your exhibitor's stalls are exempt from the trading restrictions under the Shop Trading Hours Act Repeal Act 1990 (the Act) because they are a "shop in premises where a bona fide exhibition or show is being held" (section 4(1)(e) of the Act).

You have described the event as being an adult lifestyle exhibition, where the stall holders will be selling items such as the sale of dvds, magazines, clothing and other suchlike items, related to the show.

The Department of Labour considers that a shop must be selling goods that are connected in some way with the show or exhibition. For example, arts and crafts at an art and craft show or farming supplies at an agriculture show, rather than general goods.

It should be noted that each exhibitor or stall would need to meet these requirements. It is the view of this Department that it would appear, based on the information provided by you, that most stalls or exhibitions within the show as described would meet this requirement. It may be appropriate regardless, if the stall holders are considering trading, that they seek independent legal advice as they are responsible for ensuring that their activities come within the statutory exemptions.

I trust this information is of assistance, however, should you have any further queries please do not hesitate to contact me on 0800 20 90 20.

Yours sincerely,

Evan Slade
Regional Information Officer
Workplace Contact Centre
Department of Labour