



restaurant
association
of new zealand

business resource.

[PLEASE NOTE. Restaurant Association members are strongly advised to seek guidance from the employment team on 0800 737 827 if you have any employment questions.]

Waitangi Day is a public holiday that is affected by “Monday-isation” when it falls on a weekend. This guide provides an overview of this public holidays.

What are the “Monday-isation” rules for Waitangi Day?

The Holidays (Full Recognition of Waitangi Day and ANZAC Day) Amendment Act 2013 provides for Waitangi Day and ANZAC Day to be “Monday-ised” when they fall on a weekend. This Monday-isation means Waitangi Day follows the same rules as Christmas/New Year public holidays that fall over the weekend.

The next time this will occur is in 2022 when Waitangi Day falls on Sunday the 6th of February. The public holiday will therefore be observed either on Sunday 6th February 2022 for those employees that usually work on Sundays, **or** Monday 7th February 2022 for all other employees.

Working out whether an employee “usually” works on a particular day can be tricky for hospitality businesses, where employees often work different days and hours each week. The Restaurant Association has a separate guideline on the “otherwise working day” to assist with determining this. [You can find it here.](#)

Relevant factors to consider include:

- the employment agreement;
- the employee's work patterns;

- whether the employee works only when work is available;
- rosters or other similar systems;
- the reasonable expectations of the employer and employee that the employee would work on the day concerned; and
- whether, but for the day being a public holiday, the employee would have worked on the day concerned.

When can you open?

Businesses can open their usual trading hours on Waitangi Day.

Can we still sell alcohol?

There are no restrictions with regards to the sale and supply of alcohol on Waitangi Day.