



AUSTRALIAN CAPITAL TERRITORY

Holidays (Amendment) Act 1992

No. 43 of 1992

An Act to amend the *Holidays Act 1958*

[Notified in ACT Gazette S103: 8 July 1992]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Holidays (Amendment) Act 1992*.

Principal Act

2. In this Act, “Principal Act” means the *Holidays Act 1958*.¹

Public holidays

3. Section 3 of the Principal Act is amended—
 - (a) by omitting from subsection (1) “the next succeeding subsection” and substituting “subsections (2) and (3)”;
 - (b) by inserting in subparagraph (1) (a) (i) “Saturday or” before “Sunday”;
 - (c) by inserting in subparagraph (1) (a) (viii) “Saturday or” before “Sunday”;
 - (d) by omitting subparagraph (1) (a) (ix) and substituting the following subparagraph:
 - “(ix) the twenty-sixth day of December (Boxing Day), or—
 - (A) if that day falls on a Saturday, the following Monday; or

- (B) if that day falls on a Sunday or Monday, the following Tuesday; and”;
- (e) by omitting from subsection (2) “(a) of the last preceding subsection” and substituting “(1) (a)”;
- (f) by adding at the end the following subsections:

“(3) When, but for this subsection, a person would be entitled under an award to observe as a holiday a weekday (being a day that is not to be observed as a public holiday in the Territory pursuant to this Act) following a substituted public holiday, the provisions of this Act by virtue of which that substituted public holiday is to be observed as a public holiday in the Territory do not apply in relation to that person.

“(4) In subsection (3)—

‘award’ has the same meaning as in section 4 of the *Industrial Relations Act 1988* of the Commonwealth;

‘substituted public holiday’ means a day that, under subsection 3 (1), is to be observed as a public holiday in the Territory by reason only that another day or date specified in paragraph 3 (1) (a) falls on a Saturday or Sunday.”.

Bank holidays

4. Section 4 of the Principal Act is amended—
- (a) by omitting from subsection (1) “the next succeeding subsection” and substituting “subsection (2)”;
- (b) by omitting from paragraph (1) (a) “the last preceding section” and substituting “section 3”; and
- (c) by omitting from subsection (2) “(a) or (b) of the last preceding subsection” and substituting “(1) (a) or (b)”.

NOTE

1. Ordinance No. 19, 1958 as amended to date. For previous amendments see the table in Note 1 to the *Holidays Act 1958* (as reprinted as at 30 June 1991).

[Presentation speech made in Assembly on 18 June 1992]