



Australian Capital Territory

# **Holidays Act 1958**

**A1958-19**

**Republication No 2 (RI)**

**Effective: 8 July 1992 – 27 February 1997**

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Last amendment made by A1992-43

Authorised by the ACT Parliamentary Counsel

## **About this republication**

### **The republished law**

This is a republication of the *Holidays Act 1958* effective from 8 July 1992 to 27 February 1997.

### **Kinds of republications**

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## AUSTRALIAN CAPITAL TERRITORY

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# HOLIDAYS ACT 1958

*Reprinted as at 31 August 1992*

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An Act to make provision with respect to Public Holidays and Bank Holidays

#### Short title

1. This Act may be cited as the *Holidays Act 1958*.<sup>1</sup>

#### Repeal

2. The *Commonwealth Jubilee Holiday Ordinance 1951*, the *Bank Holidays Ordinance 1952* and the *Royal Visit Holiday Ordinance 1954* are repealed.

#### Public holidays

3. (1) Subject to subsections (2) and (3)—

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(a) in any year each of the following days in that year shall be observed as a public holiday in the Territory:

- (i) the first day of January (New Year's day), or, if that day falls on a Saturday or Sunday, the following Monday;
- (ii) the twenty-sixth day of January (Australia Day), or, if that day falls on a Saturday or Sunday, the following Monday;
- (iia) the third Monday in March (Canberra Day);
- (iii) Good Friday;
- (iv) the Saturday following Good Friday;
- (v) the Monday following Good Friday;
- (vi) the twenty-fifth day of April (Anzac Day), or, if that day falls on a Sunday, the following Monday;
- (via) the second Monday in June (the day for the observance of the anniversary of the birthday of the Sovereign);
- (vii) the first Monday in October (Labour Day);
- (viii) Christmas Day, or, if that day falls on a Saturday or Sunday, the following Monday;
- (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

(b) any other day, or a part of any other day, declared by the Minister, by notice published in the *Gazette*, to be a public holiday in the Territory or in a part of the Territory specified in the notice shall be observed as such in the Territory or that part of the Territory, as the case may be.

(2) Where, in the opinion of the Minister, it is expedient that a day referred to in paragraph (1) (a) should not, in a particular year, be observed as a public holiday in the Territory, the Minister may, by notice published in the *Gazette* not less than one week before that day in that year, declare that that day shall not, in that year, be so observed and that declaration has effect accordingly.

(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

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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. (1) Subject to subsection (2)—

- (a) any day, or part of a day, that in any year is observed as a public holiday in the Territory or a part of the Territory by virtue of section 3 is a bank holiday in the Territory or that part of the Territory, as the case may be;
- (b) the first Monday in August of each year is a bank holiday in the Territory; and
- (c) any other day, or a part of any other day, declared by the Minister, by notice published in the *Gazette*, to be a bank holiday in the Territory or in a part of the Territory specified in the notice is a bank holiday in the Territory or that part of the Territory, as the case may be.

(2) Where, in the opinion of the Minister, it is expedient that a day referred to in paragraph (1) (a) or (b) should not, in a particular year, be a bank holiday, the Minister may, by notice published in the *Gazette* not less than one week before that day in that year, declare that that day is not, in that year, a bank holiday and that declaration has effect accordingly.

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## *Holidays Act 1958*

### NOTE

1. The *Holidays Act 1958* as shown in this reprint comprises Act No. 19, 1958 amended as indicated in the Tables below.

**Citation of Laws**—The *Self-Government (Citation of Laws) Act 1989* (No. 21, 1989) altered the citation of most Ordinances so that after Self-Government day they are to be cited as Acts. That Act also affects references in ACT laws to Commonwealth Acts.

Table 1  
**Table of Ordinances**

Ordinance	Number and year	Date of notification in Gazette	Date of commencement	Application, saving or transitional provisions
<i>Holidays Ordinance 1958</i>	19, 1958	2 Oct 1958	2 Oct 1958	
<i>Holidays (Amendment) Ordinance 1980</i>	1, 1980	1 Feb 1980	1 Feb 1980	—
<i>Holidays (Amendment) Ordinance 1982</i>	8, 1982	19 Mar 1982	19 Mar 1982	—
<i>Holidays (Amendment) Ordinance 1988</i>	90, 1988	21 Dec 1988	21 Dec 1988	—

**Self-Government day 11 May 1989**

Table 2  
**Table of Acts**

Act	Number and year	Date of notification in Gazette	Date of commencement	Application, saving or transitional provisions
<i>Holidays (Amendment) Act 1992</i>	43, 1992	8 July 1992	8 July 1992	—

### **Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision	How affected
S. 3.....	am. No. 1, 1980; No. 8, 1982; No. 90, 1988; Act No. 43, 1992
S. 4.....	am. Act No. 43, 1992

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