

2017

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

HOLIDAYS (RECONCILIATION DAY) AMENDMENT BILL 2017

EXPLANATORY STATEMENT

**Presented by
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Minister for Workplace Safety and Industrial Relations**

HOLIDAYS (RECONCILIATION DAY) AMENDMENT BILL 2017

Purpose of the Bill

The purpose of this Bill is to amend the *Holidays Act 1958* (the Act) to:

- a) make 27 May a Reconciliation Day public holiday in the Australian Capital Territory or, if that day is not a Monday, the following Monday; and
- b) omit Family and Community Day and its definition.

The Bill provides for a Reconciliation Day public holiday to be accommodated without change to the ultimate number of Territory public holidays. This is achieved by the removal of Family and Community Day from the ACT's public holiday calendar.

The Reconciliation Day public holiday will advance the aims of reconciliation by providing opportunities:

- to celebrate and build on the respectful relationships shared by Aboriginal and Torres Strait Islander peoples and other Australians;
- for the whole ACT community to acknowledge the history of settlement of Australia,
- to learn about our shared histories, cultures and achievements;
- to celebrate Aboriginal and Torres Strait Islander culture and heritage and the contribution they make to the nation; and
- to share with the Aboriginal and Torres Strait Islander communities in the ACT the oldest living cultural history in the world.

Human Rights Considerations

This Bill is intended to support Aboriginal and Torres Strait Islander cultural rights as recognised by section 27 of the *Human Rights Act 2004*. The *Human Rights Act* reflects the understanding of the culture of Aboriginal and Torres Strait Islander peoples as essential to the distinctive character of Australia as a nation. Reconciliation Day will provide whole of community recognition of Aboriginal and Torres Strait Islander culture and history

Climate Change Vulnerability Assessment

The measures contained in the Bill have negligible climate change effects.

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CLAUSE NOTES

Clause 1 - Name of Act

This clause names the Act as the *Holidays (Reconciliation Day) Amendment Act 2017*.

Clause 2 - Commencement

This is a clause provides for the commencement of the Act on 1 January 2018.

Clause 3 - Legislation amended

This clause identifies the legislation amended by the Act. This Act amends the *Holidays Act 1958*.

Section 3 - Public holidays

Clause 4 – New section 3 (1) (a) (viiiia)

This clause inserts a new section to provide that 27 May is a Reconciliation Day public holiday of general observation in the ACT or, if 27 May is not a Monday, the following Monday.

Clause 5 – Section 3 (1) (a) (x)

This clause removes Family and Community Day as a public holiday in the ACT.

Clause 6- Section 3 (6), definition of Family and Community Day

This clause removes the definition of Family and Community Day.