

Queensland



ANNO TRICESIMO SECUNDO

ELIZABETHAE SECUNDAE REGINAE

No. 18 of 1983

An Act to make provision for holidays and for related purposes and to repeal The Holidays Acts, 1912 to 1961

[ASSENTED TO 19TH APRIL, 1983]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. **Short title.** This Act may be cited as the *Holidays Act 1983*.

2. **Repeal.** *The Holidays Acts, 1912 to 1961* are repealed.

3. **Interpretation.** In this Act, unless the contrary intention appears—

“ Minister ” means the Minister for Employment and Labour Relations or other Minister of the Crown for the time being charged with the administration of this Act: The term includes a Minister of the Crown temporarily performing the duties of the Minister.

4. **Public holidays.** (1) Subject to section 5 a public holiday shall be observed in respect of each of the days set out in the Schedule or any day substituted for a day set out in the Schedule pursuant to subsection (2) or (3).

(2) When any of the days set out in Part II of the Schedule falls on a Sunday or any of the days set out in Part III falls on a day other than a Monday the following Monday shall be substituted as the public holiday.

(3) When the twenty-sixth day of December falls on a Monday the next day shall be substituted as the public holiday.

5. **Minister may change public holiday.** The Minister may by notification published in the Queensland Government Gazette or the Queensland Government Industrial Gazette substitute another day for a day which is a public holiday pursuant to section 4.

6. **Special holidays.** (1) Subject to subsection (2) the Minister may by notification published in the Queensland Government Gazette or the Queensland Government Industrial Gazette appoint a day or the forenoon or afternoon of a day to be a holiday either throughout the State or within such district as may be specified.

(2) A holiday shall not be appointed pursuant to this section in respect of a district unless the Minister has, by a date specified by him, received a notice from the Local Authority for the Area in which the district is situated signed by the Clerk of that Local Authority requesting that the holiday be appointed.

(3) A holiday appointed pursuant to subsection (1) shall be a bank holiday in the district specified in the notification except where the holiday is in respect of an annual agricultural, horticultural or industrial show when it shall also be a public holiday.

(4) Subsection (2) does not apply to—

(a) a holiday in the City of Brisbane for the annual agricultural show conducted by the Queensland Royal National Agricultural and Industrial Association; or

- (b) a holiday for the Coen Amateur Turf Club's Annual Race Meeting in respect of the district where Comalco Limited requests that holiday.

7. Minister may revoke or amend notification. The Minister may by notification published in the Queensland Government Gazette or the Queensland Government Industrial Gazette revoke or amend a notification made pursuant to section 5 or 6.

8. Pay for work done on holidays. Subject to section 14 (3) of the *Industrial Conciliation and Arbitration Act 1961-1982* work done by an employee on a holiday between the ordinary starting and ceasing times prescribed by the award applicable to him shall not attract a payment in addition to that ordinarily payable to that employee.

9. Banks may close on certain afternoons. (1) A bank on giving the notice set out in subsection (2) and (3) as may be applicable may close the bank or any branch of the bank to business in the afternoon of any day.

(2) The bank shall publish notice of the closing in a newspaper circulating in the neighbourhood of the bank or branch to be closed between the third and the fourteenth day before the day of closing.

Penalty: \$400.

(3) Where it is proposed to close a bank or branch of the bank in the afternoon of the same day in every week until further notice it shall be sufficient to publish notice of such closing once only in the manner set out in subsection (2).

10. Bank holidays. (1) Subject to subsection (2) and (3) the following days shall be bank holidays:—

(a) each day or half-day that is a holiday pursuant to this Act; and

(b) Saturdays.

(2) Where pursuant to section 5 another day is substituted as a holiday in respect of New Year's Day, Anzac Day or Christmas Day both that day and New Year's Day, Anzac Day or Christmas Day as the case may be shall be bank holidays.

(3) The Governor in Council may by Proclamation published in the Queensland Government Gazette or the Queensland Government Industrial Gazette declare that from a date specified in the Proclamation Saturday shall cease to be a bank holiday.

(4) Subject to subsection (5) all banks and insurance companies shall be kept closed on any day or half-day which is a bank holiday.

(5) Agencies of savings banks may remain open on Saturdays.

(6) Where a bank or insurance company contravenes or fails to comply with subsection (4) any person who authorized, directed, or, except as an employee so required by his employer, otherwise aided that contravention or failure to comply, commits an offence against this Act and shall be liable to a penalty of \$5 000.

11. Proceedings for offences. All offences against this Act may be prosecuted in a summary way on complaint by any person authorized by the Minister.

THE SCHEDULE

PART I

Good Friday
The day after Good Friday (Easter Saturday)
Easter Monday
The Second Monday in June (Birthday of the Sovereign)

PART II

The First day of January (New Year's Day)
The Twenty-fifth day of April (Anzac Day)
The Twenty-fifth day of December (Christmas Day)
The Twenty-sixth day of December (Boxing Day)

PART III

The Twenty-sixth day of January (Australia Day)
The First day of May (Labour Day)
