

Queensland



HOLIDAYS ACT 1983

**Reprinted as in force on 24 April 1995
(includes amendments up to Act No. 4 of 1995)**

Reprint No. 1 *

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

* Minor differences in style between this reprint and another reprint with the same number are due to the conversion to another software program. The content has not changed.

Information about this reprint

This Act is reprinted as at 24 April 1995. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update references (pt 4, div 3)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (ss 37, 39 and 40)
- omit the enacting words (s 42A)
- number and renumber provisions and references (s 43)
- make all necessary consequential amendments (s 7(1)(k)).

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **table of changed names and titles**
 - **table of obsolete and redundant provisions**
 - **table of renumbered provisions.**

Queensland



HOLIDAYS ACT 1983

TABLE OF PROVISIONS

Section		Page
1	Short title	3
2	Public holidays	3
3	Minister may change public holidays	3
4	Special holidays	3
5	Bank holidays	4
6	Regulation making power	4
7	Reference to Holidays Act 1912	5
	SCHEDULE	6

ENDNOTES

1	Index to endnotes	7
2	Date to which amendments incorporated.	7
3	Key	7
4	List of legislation	8
5	List of annotations	8
6	Table of changed names and titles	9
7	Table of obsolete and redundant provisions.	9
8	Table of renumbered provisions.	10

HOLIDAYS ACT 1983

[as amended by all amendments that commenced on or before 24 April 1995]

An Act to make provision for holidays and for related purposes

1 Short title

This Act may be cited as the *Holidays Act 1983*.

2 Public holidays

(1) Subject to section 3 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 the schedule, part 2 falls on a Sunday or the day set out in part 3 falls on a day other than a Monday or the day set out in part 4 falls on either a Saturday or a Sunday, the following Monday shall be substituted as the public holiday.

(3) When 26 December falls on a Monday the next day shall be substituted as the public holiday.

3 Minister may change public holidays

The Minister may, by Gazette notice, substitute another day for a public holiday under section 2.

4 Special holidays

(1) Subject to subsections (2) and (3) the Minister may by notification published in the Gazette or the 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 the Minister,

received a notice from the local government for the area in which the district is situated signed by the chief executive officer of that local government requesting that the holiday be appointed.

(3) The holiday appointed may be the date requested or another date as the Minister thinks fit.

(4) 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.

(5) Subsections (2) and (3) do 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; or
- (c) a holiday for a district prescribed by regulation.

(6) A regulation may appoint a day, or the morning or afternoon of a day, to be a holiday in a district prescribed under subsection (5)(c).

5 Bank holidays

(1) Subject to subsections (2) and (3) the following days shall be bank holidays—

- (a) each day or half-day that is a holiday pursuant to this Act;
- (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) A regulation may declare that, from a specified day, Saturday ceases to be a bank holiday.

6 Regulation making power

The Governor in Council may make regulations under this Act.

7 Reference to Holidays Act 1912

A reference in an Act or document to the *Holidays Act 1912* is a reference to this Act.

SCHEDULE**PART 1**

Good Friday

The day after Good Friday (Easter Saturday)

Easter Monday

The Second Monday in June (Birthday of the Sovereign)

PART 2

1 January (New Year's Day)

25 April (Anzac Day)

25 December (Christmas Day)

26 December (Boxing Day)

PART 3

1 May (Labour Day)

PART 4

26 January (Australia Day)

ENDNOTES

1 Index to endnotes

	Page
2 Date to which amendments incorporated	7
3 Key	7
4 List of legislation	8
5 List of annotations	8
6 Table of changed names and titles	9
7 Table of obsolete and redundant provisions	9
8 Table of renumbered provisions	10

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 24 April 1995. Future amendments of the Holidays Act 1983 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

4 List of legislation

Holidays Act 1983 No. 18

date of assent 19 April 1983
 commenced on date of assent
 amending legislation—

Holidays Act Amendment Act 1985 No. 87

date of assent 9 December 1985
 commenced on date of assent

Holidays Act Amendment Act 1988 No. 63

date of assent 6 October 1988
 commenced on date of assent

Holidays Act Amendment Act 1989 No. 8

date of assent 30 March 1989
 commenced on date of assent

Trading (Allowable Hours) Act 1990 No. 34 ss 1.4(1), 1.5(2)

date of assent 15 June 1990
 commenced 23 June 1990 (proc pubd Ind Gaz 23 June 1990 p 324)

Anzac Day Act 1995 No. 4 s 33 sch

date of assent 3 March 1995
 commenced on date of assent

5 List of annotations

This reprint has been renumbered—see table of renumbered provisions in endnote 8

Title amd R1 (see RA s 7(1)(k))

Public holidays

s 2 prev s 2 om R1 (see RA s 40)
 pres s 2 amd 1989 No. 8 s 2

Minister may change public holidays

s 3 prev s 3 om 1995 No. 4 s 33 sch
 pres s 3 sub 1995 No. 4 s 33 sch

Special holidays

s 4 amd 1985 No. 87 s 2; 1995 No. 4 s 33 sch

Bank holidays

s 5 amd 1988 No. 63 s 2; 1990 No. 34 s 1.4(1); 1995 No. 4 s 33 sch

Regulation making power

s 6 sub 1995 No. 4 s 33 sch

Reference to Holidays Act 1912

s 7 prev s 7 om 1995 No. 4 s 33 sch
pres s 7 ins 1995 No. 4 s 33 sch

Numbering and renumbering of Act

s 8 prev s 8 om 1995 No. 4 s 33 sch
new s 8 ins 1995 No. 4 s 33 sch
om R1 (see RA s 37)

Banks may close on certain afternoons

s 9 prev s 9 om 1985 No. 87 s 3

SCHEDULE

amd 1989 No. 8 s 3

6 Table of changed names and titles

TABLE OF CHANGED NAMES AND TITLES

under the Reprints Act 1992 ss 23 and 23A

Old	New	Reference provision
clerk (of a local authority) [other than the Brisbane City Council]	chief executive officer (of a local government)	Local Government Act 1993 s 755(1)(j)
local authority	local government	Local Government Act 1993 s 755(1)(a)

7 Table of obsolete and redundant provisions

TABLE OF OBSOLETE AND REDUNDANT PROVISIONS

under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
references to Queensland Government Gazette	Acts Interpretation Act 1954 s 36 def "Gazette"
references to Queensland Government Industrial Gazette	Acts Interpretation Act 1954 s 36 def "Industrial Gazette"

8 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS

under the Reprints Act 1992 s 43 as required by the Holidays Act 1983 s 8

Previous	Renumbered as
4.....	2
5.....	3
6.....	4
6(2), 2nd sentence.....	4(3)
6(3).....	4(4)
6(4).....	4(5)
6(5).....	4(6)
10.....	5
11.....	6
12.....	7
13.....	8