

# REPRINT

## **PUBLIC HOLIDAYS ACT (CAP. 151)**

**As in force at: 25 September 2018**

**STATUS: CURRENT**

For details see Endnotes

**AN ACT TO MAKE PROVISION FOR PUBLIC HOLIDAYS**

## **PUBLIC HOLIDAYS ACT (CAP. 151)**

### **Table of provisions**

1	Short title	1
2	Certain days to be holidays	1
3	Bills due on a public holiday to be payable on day next following	1
4	Notice of dishonour, presentment or acceptance on day next following	2
5	Payments due on public holidays	2
6	Appointment of special public holidays	2
7	Power of Minister to amend the Schedule	2
8	Right to open public offices on holidays	2
9	Exclusion of section 62 of the Interpretation and General Provisions Act	3
	<b>SCHEDULE</b>	<b>3</b>

# **PUBLIC HOLIDAYS ACT (Cap. 151)**

**As in force at: 25 September 2018**

## **1 Short title**

This Act may be cited as the *Public Holidays Act*

## **2 Certain days to be holidays**

- (1) The several days in the Schedule to this Act mentioned (hereinafter called “public holidays”) shall be kept as holidays in all public offices in Solomon Islands:

Provided that if any public holiday falls on a Sunday the Monday next following shall be a public holiday unless otherwise ordered by the Minister by notice.

- (2) When the twenty-sixth day of December falls on a Monday the day following shall be a public holiday.
- (3) The polling day in an election other than a general election is a public holiday only in the constituency in which the election is held.

## **3 Bills due on a public holiday to be payable on day next following**

- (1) All bills of exchange and promissory notes which are due and payable on any such public holiday shall be payable, and, in case of non-payment, may be noted and protested on the day next following such public holiday, and any such noting and protest shall be as valid as if made on the day on which the bill or note was made due and payable.
- (2) For all the purposes of this Act the day next following a public holiday shall mean the next following day on which a bill of exchange may lawfully be noted or protested.

**4 Notice of dishonour, presentment or acceptance on day next following**

When the day on which any notice of dishonour of an unpaid bill of exchange or promissory note should be given, or a bill of exchange or promissory note should be presented or received for acceptance, or accepted or forwarded to any referee or referees is a public holiday such notice of dishonour shall be given, and such bill of exchange or promissory note shall be presented, received, accepted or forwarded on the day next following such public holiday.

**5 Payments due on public holidays**

No person shall be compellable to make any payment or do any act upon a public holiday which he would not be compellable to make or do on a Sunday; and the obligation to make such payment or do such act shall apply to the day next following such public holiday, and the making of such payment or doing of such act on such day next following shall be equivalent to payment of the money or performance of the act on the public holiday.

**6 Appointment of special public holidays**

The Minister may, by notice published in such manner as he thinks fit, appoint a special day or any part of a day to be kept as a holiday in all public offices in Solomon Islands, or in any part thereof, or in any island or province, and every day so appointed shall be deemed to be a public holiday for all the purposes of this Act.

**7 Power of Minister to amend the Schedule**

The Minister may by order amend the Schedule to this Act.

**8 Right to open public offices on holidays**

Notwithstanding anything contained in this Act the head of any Government department may open the offices and works thereof and call upon all or any persons employed in such department to perform such of their duties on any public holiday as to such head of department may seem fit.

**9 Exclusion of section 62 of the Interpretation and General Provisions Act**

Section 62 of the *Interpretation and General Provisions Act* (Parliamentary procedure) shall not apply to subsidiary legislation made under this Act, except that Orders made under section 7 shall be laid before Parliament before they come into effect.

**SCHEDULE**

The first day of January

Good Friday

The day after Good Friday

Easter Monday

Whit Monday

The day appointed for the celebration of the Anniversary of the Birthday of the Sovereign.

Independence Day — 7th July.

Christmas Day

The twenty-sixth day of December

(National Day of Thanksgiving)

The polling day in a general election or any other election, subject to section 2(3)

## ENDNOTES

1

### KEY

amd = amended	Pt = Part
Ch = Chapter	rem = remainder
Div = Division	renum = renumbered
exp = expires/expired	rep = repealed
GN = Gazette Notice	Sch = Schedule
hdg = heading	Sdiv = Subdivision
ins = inserted	SIG = Solomon Islands Gazette
lt = long title	st = short title
LN = Legal Notice	sub = substituted
nc = not commenced	

### NOTE

This Reprint comprises the Act and amendments as in force on 1 March 1996 and published as Chapter 151 of the Revised Edition of the Laws of Solomon Islands, together with amendments made to the Act since that date.

2

### LIST OF LEGISLATION

#### ***Public Holidays Act (Cap. 151)***

<i>Constituent legislation:</i>	4 of 1937 (Commenced 5 May 1937)
	13 of 1955
	1 of 1960
	15 of 1964
	4 of 1968
	2 of 1977
	4 of 1978
	LN 46A of 1978
	2 of 1982
	LN 13 of 1983
	LN 116 of 1986

#### ***Electoral Act 2018 (No. 6 of 2018)***

Assent date	7 September 2018
Gazetted	7 September 2018
Commenced	25 September 2018 - (ss4 & 12, Part 4, Div 5 & s 107(2) nc)
	1 November 2019 – ss4 & 12, Part 4, Div 5
	<i>Note: s107(2) not yet commenced</i>

3

### LIST OF AMENDMENTS

s 2                      amd by Act No. 6 of 2018

Sch                      amd by Act No. 6 of 2018