



ST. HELENA

CHAPTER 158

PUBLIC HOLIDAYS ORDINANCE

Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown [Telephone (+290) 2270; Fax (+290) 2454; email pa.lawofficers@legalandlands.gov.sh]¹

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

This version contains a consolidation of the following laws—

	Page
PUBLIC HOLIDAYS ORDINANCE	2
Ordinance 9 of 1945 .. in force 24 November 1945	
Amended by Ordinance: 16 of 1955	
Amended by Legal Notice: 4 of 1967	
Amended by Ordinance: 5 of 1981	
Amended by Ordinance: 2 of 1988	
Amended by Ordinance: 2 of 2001	
Amended by Ordinance: 13 of 2017	

No Subsidiary Legislation has been made under this Ordinance

¹ These contact details may change during 2011 or early in 2012. In case of difficulty, email shgwebsite@sainthelena.gov.sh or telephone (+290) 2470.

CHAPTER 158**PUBLIC HOLIDAYS ORDINANCE**

*(Ordinances 9 of 1945, 16 of 1955, Legal Notice 4 of 1967,
Ordinances 5 of 1981, 2 of 1988, 2 of 2001 and 13 of 2017)*

AN ORDINANCE TO PROVIDE FOR THE OBSERVANCE OF CERTAIN DAYS AS PUBLIC HOLIDAYS,
AND FOR OTHER PURPOSES CONNECTED THEREWITH.

Commencement

[24 November 1945]

Short title

1. This Ordinance may be cited as the Public Holidays Ordinance.

Days to be observed as holidays

- 2.² (1) The several days specified in the First Schedule shall be public holidays.
- (2) If Christmas Day falls on a Saturday or Sunday, the following Tuesday will be observed as a public holiday.
- (3) If a Public Holiday other than Christmas Day falls on a Saturday or Sunday, the Governor shall, by Proclamation, direct that either the preceding Friday or the following Monday be observed as a Public Holiday *in lieu* of that Saturday or Sunday.

Payments, etc., on public holidays

3. (1) No person shall be required to make any payment or to do any other act upon a public holiday which he would not be required to make or do upon a Sunday.
- (2) The obligation to make any payment or to do any other act on a day which is a public holiday shall apply to the day following the public holiday, and the making of such payment or the doing of such other act on such following day shall be equivalent in all respects to payment of the money or performance of the act on the day which is a public holiday.

Payment of salary, etc., for public holidays

- 4.³ (1) Every person who is responsible for the conduct of any of the undertakings stated in the Second Schedule to this Ordinance (hereinafter referred to as “an employer”) shall, on the due date, pay to every person employed in such undertaking for the time being, the amount of salary or wages or other remuneration which he would have earned by reason of the performance of his work on a day which is a public holiday.
- (2) Any employer who employs any person other than a person who is in receipt of a monthly salary in an undertaking which is open on a public holiday shall grant to such person, in respect of his work on the public holiday, a day’s holiday with pay on another day, or, at the option of such person, pay to him one day’s pay in addition to the amount of salary or wages or other remuneration to which he is entitled by virtue of the preceding subsection.

² Section 2 amended by Ord. 5 of 1981, Ord. 2 of 1988 and Ord. 13 of 2017

³ Section 4 amended by Ord. 16 of 1955 and Ord. 13 of 2017

Committee may vary days appointed for public holidays

5.⁴ (1) The Council Committee⁵ may on account of the arrival of any ship, or for any other cause which in their opinion makes it inexpedient to observe a public holiday on one of the days appointed under this Ordinance, give directions that a public holiday shall not be observed on the appointed date, but shall be observed on such other date as they may appoint.

(2) The Governor may give directions that any day which is an occasion of national importance, shall be observed as a public holiday.

Regulations

6. The Governor in Council may make regulations for the carrying out of any of the purposes or provisions of this Ordinance.

Penalty

7.⁶ (1) Any employer or other person who contravenes, or fails to comply with, the provisions of this Ordinance or of any regulation made thereunder, shall be guilty of an offence against this Ordinance.

(2) Any person who commits an offence against this Ordinance shall, on summary conviction, be liable to imprisonment for a period not exceeding three months, or to a fine not exceeding £100, or to both such imprisonment and fine, and for a second or subsequent offence, to imprisonment for a period not exceeding three months, or to a fine not exceeding £100, or to both such imprisonment and fine.

FIRST SCHEDULE

Good Friday.
Easter Monday.
The official birthday of Her Majesty the Queen.
St. Helena Day, the 21st day of May.
Christmas Day.
Boxing Day, the 26th day of December.

SECOND SCHEDULE⁷

Offices, shops, workshops, and factories.

⁴ Section 5 amended by L.N. 4/1967

⁵ Social Services Committee — see LN 4/1967

⁶ Section 7 amended by Ord. 2 of 2001

⁷ Second Scheduled amended by Ord. 13 of 2017