

CHAPTER 354

THE PUBLIC HOLIDAYS ACT

Arrangement of Sections

Section

1. Short title.
2. Days noted in Schedule to be kept as public holidays.
3. Provisions where day of notice of dishonour or presentation falls on a holiday.
4. No persons obliged to make payment, etc., on holidays.
5. Power to appoint special public holidays and to change day for a public holiday.
6. Exceptions.
7. Provision for opening of shops and stores.
8. Penalty for opening on public holidays.
9. Bank holiday construed as public holiday.

SCHEDULE

PUBLIC HOLIDAYS

(10th September, 1954.)

19/1954.
S.R.O. 22/1956.
9/1956.
6/1963.
11/1966.
23/1966.
4/1991.

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

2. The several days in the Schedule (which days are hereinafter referred to as public holidays), shall be kept as close holidays in all banks, shops or stores where goods are sold, and at the several public offices in Antigua and Barbuda, and all bills of exchange and promissory notes which are due and payable on any such public holiday shall be payable

Days noted in Schedule to be kept as public holidays.

and, in case of non-payment, may be noted and protested on the next following day, and not on any public holiday; and any such noting or protest shall be as valid as if made on the day on which the bill or note was made due and payable; and 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 be lawfully noted or protested.

Provisions where day of notice of dishonour or presentation falls on a holiday.

3. When the day on which any notice of dishonour of any unpaid bill of exchange or promissory note should be given, or when the day on which 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 or forwarded on the day next following such public holiday.

No persons obliged to make payment, etc., on holidays.

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

Power to appoint special public holidays and to change day for a public holiday.

5. It shall be lawful for the Governor-General with the advice of the Cabinet to issue a proclamation—

(a) appointing a special day or part of a day to be reserved as a public holiday throughout Antigua and Barbuda, and any day or part of a day so appointed shall be kept as a close holiday in all banks, shops, stores and public offices aforesaid in Antigua and Barbuda, and shall, as regards bills of exchange and promissory notes be deemed to be a public holiday for all purposes of this Act;

(b) when it is made to appear to him in any special case that in any year it is inexpedient that a day by this Act appointed a public holiday should be a public holiday, declaring that such day shall not in such year be a public holiday, and appointing such other day as

to him may seem fit to be a public holiday, instead of such day, and thereupon the day so appointed shall in such year be substituted for the day originally appointed by this Act.

6. Nothing in this Act shall—

Exceptions.

(a) prevent the opening of a drug store or drug shop on a public holiday in case of necessity for making up prescriptions and supplying drugs;

(b) be deemed to prohibit the opening of any public market or the sale at any place of any article of food or drink up to the hour of nine o'clock in the morning;

(c) prevent the opening on a public holiday of any petrol station for the sale of gasolene, oil or motor accessories, or of any garage for the purpose of effecting emergency repairs to motor vehicles.

7. Notwithstanding anything contained in this Act the Governor-General, with the advice of the Cabinet, may from time to time, by order published in the *Gazette* permit any class of shop or store specified in such order to be kept open on a public holiday for the sale of any article in Antigua and Barbuda or any part thereof during such hours and subject to such terms and conditions as may be prescribed by such order.

Provision for opening of shops and stores.

8. Any person who keeps open any bank, shop, store or public office in contravention of the provisions of this Act, or fails to comply with the provisions of any order made under section 7 shall be liable on summary conviction to a penalty not exceeding three thousand dollars.

Penalty for opening an public holidays.

9. Any reference in any Act or subsidiary legislation to a bank holiday shall be construed as a reference to a public holiday under this Act.

Bank holiday construed as public holiday.

SCHEDULE

S. 2

The first day of January in each year.

If the above mentioned day falls on a Sunday the next following Monday shall be a public holiday.

Boxing Day—that is the day after Christmas Day, but if Christmas Day falls on a Saturday, then the next following Monday shall be a public holiday, and if Christmas Day falls on a Sunday, then the next following Monday and Tuesday shall be public holidays.

Easter Monday.

Labour Day (the first Monday in May).

Whit Monday.

Caribbean Community (Caricom) Day, being the first Monday of July in each year.

The first Monday in August.

The first day of November in each year.

Note: Sundays, Christmas Day and Good Friday are observed as Common Law Holidays.
