Tuvalu

PUBLIC HOLIDAYS ACT

2008 Revised Edition
CAP. 22.10
PUBLIC HOLIDAYS ACT

Arrangement of Sections

Section

1  Short title.......................................................... 5
2  Certain days to be public holidays.............................. 5
3  Bills due on a public holiday to be payable on day next following 5
4  Notice of dishonour, presentment or acceptance on day next following 6
5  Payments due on public holidays ............................... 6
6  Appointment of special public holidays ......................... 6
7  Right to open public offices on holidays ....................... 6
8  Restriction of compulsory work on public holidays .......... 6

SCHEDULE 8

Supporting Documents

ENDNOTES 9
PUBLIC HOLIDAYS ACT

AN ACT TO MAKE PROVISION FOR PUBLIC HOLIDAYS

Commencement [5th May 1937]

1 Short title

This Act may be cited as the Public Holidays Act.

2 Certain days to be public holidays

(1) The several days mentioned in the Schedule, hereinafter called “public holidays”, shall be kept as holidays in all public offices in Tuvalu:

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

(2) Notwithstanding anything contained in subsection (1) when any public holiday falls on any day of the week other than Monday, either the preceding or the following Monday may be appointed as a public holiday in lieu thereof by the Minister by notice.

(3) When either the 2nd day of October or the 26th day of December falls on a Sunday the Monday and Tuesday next following shall be public holidays, and when either day falls on a Monday the Tuesday next following shall be a public holiday.

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 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 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 a day on which any notice of dishonour of an unpaid bill of exchange or
promissory note shall 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 appoint a special day or any part of a day to be kept as a
holiday in all public offices in Tuvalu, or in any part thereof, or in any island or
district, and every day so appointed shall be deemed to be a public holiday for all the
purposes of this Act.

7 Right to open public offices on holidays

Notwithstanding anything contained in this Act the head of any Government
department may open 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.

8 Restriction of compulsory work on public holidays

(1) No worker as defined in section 2 of the Employment Act,² shall be
compelled to perform any work on any public holiday save only such as shall
be of immediate necessity for the care and feeding of animals, cleanliness of
yards, sties, stables, folds, factories and buildings and other work
indispensable for the preservation of the property of his employer, which work shall not be for more than 2 hours duration either before the hour of 8 in the morning or after the hour of 4 in the afternoon.

(2) Every employer as defined in the said section who contravenes the provisions of this section shall be liable to a fine of $20.
### SCHEDULE

(Section 2 (1))

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year's Day</td>
<td>1st January</td>
</tr>
<tr>
<td>Good Friday</td>
<td>As appointed</td>
</tr>
<tr>
<td>Easter Monday</td>
<td>As appointed</td>
</tr>
<tr>
<td>Commonwealth Day</td>
<td>2nd Monday in March or as appointed</td>
</tr>
<tr>
<td>Te Aso o te Tala Lei (Gospel Day)</td>
<td>the Monday following the second Sunday in May</td>
</tr>
<tr>
<td>The day appointed for the celebration of the Anniversary of the Birthday of the Sovereign</td>
<td>2nd Saturday in June or as appointed</td>
</tr>
<tr>
<td>National Children's Day</td>
<td>1st Monday in August</td>
</tr>
<tr>
<td>Tuvalu Day</td>
<td>1st October and 2nd October</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>25th December</td>
</tr>
<tr>
<td>Boxing Day</td>
<td>26th December</td>
</tr>
</tbody>
</table>
ENDNOTES


Amended by Act 4 of 2001

2 Cap. 40.28

3 Amended by Act 4 of 2001