

PUBLIC AND BANK HOLIDAYS.

No. 63 of 1972.

**AN ACT to rationalise Public and Bank Holidays
and for purposes incidental thereto.**

[Assented to 31st October, 1972.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Public and Bank Holidays Act, 1972.* Short title.

2. This Act shall come into operation on a date to fixed by proclamation. Commencement.

Construction of this Act to be subject to awards, orders, or agreements, made under Industrial Arbitration Act, 1912.

3. Unless it is otherwise expressly provided in this Act, any provision of an award, order, or industrial agreement made under the Industrial Arbitration Act, 1912 prevails over any provision of or under this Act, to the extent of any inconsistency therewith.

Repeals.

4. The Acts mentioned in the First Schedule to this Act are repealed.

Days fixed as public and bank holidays.

5. Subject to this Act, the several days specified in the Second Schedule to this Act shall be public holidays and bank holidays throughout the State.

Saturdays as bank holidays.

6. (1) Subject to subsections (2) and (3) of this section, Saturday shall be a bank holiday throughout the State.

(2) If the Governor is satisfied that there are no arrangements which operate generally throughout the State for keeping all banks in the State open for business until five o'clock in the afternoon of every Friday that is not a bank holiday or that, if there are such arrangements, they are not being carried out, the Governor may by proclamation declare that Saturday shall not be a bank holiday on and from a date specified in the proclamation, and in that case Saturday shall accordingly not be a bank holiday.

(3) If after a proclamation has been made under subsection (2) of this section, the Governor is satisfied that there are such arrangements as are referred to in that subsection and they will be carried out, the Governor may by subsequent proclamation declare that Saturday shall be a bank holiday on and from a date specified in the subsequent proclamation, and in that case Saturday shall accordingly be a bank holiday.

7. (1) The Governor may, from time to time, by proclamation—

Special public or bank holidays and half-holidays.

- (a) appoint a special day specified in the proclamation to be a public holiday or bank holiday, or both;
- (b) appoint any part of any special day specified in the proclamation to be a public half-holiday,

in any year either throughout the State or within such district or locality as is specified in the proclamation, and in that case the special day or part thereof shall accordingly be a public holiday or bank holiday, or both, or public half-holiday, as the case may be.

(2) Where a proclamation is made under subsection (1) of this section, the Governor may, from time to time, vary or cancel it by subsequent proclamation published in the *Government Gazette* at least three weeks before the special day specified in the former proclamation.

8. (1) The Governor may, from time to time, by proclamation declare that, instead of a day appointed as a public holiday and bank holiday by section 5 of this Act, some other day shall be a public holiday or bank holiday, or both, in any year either throughout the State or within such district or locality as is specified in the proclamation, and in that case such other day shall accordingly be a public holiday or bank holiday, or both, as the case may be, instead of the day so appointed.

Power of Governor to alter day appointed for a public holiday or bank holiday.

(2) A proclamation made under subsection (1) of this Act shall be published in the *Government Gazette* at least three weeks before the first day to be affected thereby.

Effect of proclamation under sections 7 and 8 on awards, orders, or agreements under Industrial Arbitration Act, 1912.

9. Any provision of a proclamation made under section 7 or 8 of this Act prevails over any provision of an award, order, or industrial agreement made under the Industrial Arbitration Act, 1912, to the extent of any inconsistency therewith.

Banks to be closed on bank holidays.

10. (1) Subject to subsection (2) of this section, all banks in the State shall be closed on bank holidays.

(2) An agency of a savings bank is not required to be closed on Saturday.

SCHEDULES.

S. 4.

FIRST SCHEDULE.

Number of Act.	Short Title of Act.
17 of 1919	Anzac Day Act, 1919.
9 of 1937	Anniversary of the Birthday of the Reigning Sovereign Act, 1937.
13 of 1970	Bank Holidays Act, 1970.

S. 5.

SECOND SCHEDULE.

New Year's Day (1st January).

Australia Day (Monday on or first Monday following the 26th January).

Labor Day (Monday on or first Monday following the 1st March).

Good Friday.

Easter Monday.

Anzac Day (25th April).

Foundation Day (Monday on or first Monday following the 1st June).

Celebration Day for the Anniversary of the Birthday of the Reigning Sovereign (second Monday in October).

Christmas Day (25th December).

Boxing Day (26th December).

When New Year's Day, Anzac Day, or Christmas Day falls on a Saturday or Sunday the next following Monday is also a public holiday and bank holiday.

When Boxing Day falls on a Saturday the next following Monday is also a public holiday and bank holiday.

When Boxing Day falls on a Sunday the next following Tuesday is also a public holiday and bank holiday.