

CHAPTER 352

PUBLIC HOLIDAYS

1968-49

This Act came into operation on 30th December, 1968.

Amended by:

1969-49

1978/217

1997/70

1972-31

1983/79

1998-11

1974/286

1989/2

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1998

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 352

PUBLIC HOLIDAYS 1968-49

Arrangement of Sections

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FIRST SCHEDULE

Public Holidays

SECOND SCHEDULE

Persons and businesses to which section 4 shall not apply

**BARBADOS****PUBLIC HOLIDAYS**

1968-49

An Act to amend and consolidate the Acts relating to bank holidays and public holidays.

[Commencement: 30th December, 1968]

Short title

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

Interpretation

2. For the purposes of this Act, the expression “place of business” means any bank, office, shop, stall or booth, store, warehouse, workshop or any other place where business of any description whatsoever is carried on or transacted.

Public holidays

- 3.(1) Subject to subsection (2), the several days specified in the *First Schedule* shall be public holidays in Barbados in every year.
- (2) The Governor-General may by order
 - (a) appoint any other day in any year to be a public holiday in Barbados;

- (b) if it appears to him to be inexpedient in any year that a day specified in the *First Schedule* should be a public holiday, declare that such day shall not be a public holiday in that year and in lieu thereof appoint such other day in that year as appears to him to be expedient to be a public holiday; or
- (c) amend the *First Schedule* by adding thereto or deleting therefrom any day.

[1972-31]

No place of business, department of the public service nor school to be open on a public holiday

4. Subject to sections 5, 6 and 7, no place of business nor department of the public service shall be open for business, nor shall any school be open for tuition, on a public holiday; and any person who

- (a) opens or causes to be opened for business or tuition, as the case may be, any place of business or school; or
- (b) allows or requires the attendance of any employee at any place of business or school,

on a public holiday shall be guilty of an offence under this Act and shall be liable on summary conviction to a fine of \$250.

Exemptions in case of public officers and other persons employed in departments of the public service and the General Post Office

5. Notwithstanding section 4

- (a) any public officer or other person employed in any department of the public service may be allowed or required to perform duties in connection with the operation of that department on a public holiday;
- (b) the Postmaster-General may open the General Post Office at Bridgetown on public holidays for the purpose of despatching mails to

places outside Barbados, receiving mails brought from such places and delivering such mail letters at that post office to the addressee thereof, subject to the regulations for the time being in force relating to the delivery of letters to the addressees thereof at that post office.

Exemptions in the case of certain persons and businesses

6.(1) Section 4 shall not apply to the persons and businesses specified in the *Second Schedule*, subject to such limitations as may be set out therein in respect of any such person or business.

(2) The Minister responsible for Labour may at any time by order, subject to affirmative resolution, amend the *Second Schedule* by the addition thereto or the deletion therefrom of any person or business.

Shops permitted to open on a bank holiday under any enactment relating to shops

7. Notwithstanding section 4, it shall be lawful for the proprietor of any shop to open his shop for business and for the shop assistants and other employees to work therein on a public holiday, if that proprietor is permitted to open his shop under the provisions of any enactment relating to shops for the time being in force, provided that any conditions subject to which such shop may be so open are complied with.

FIRST SCHEDULE*(Section 3(1))**Public Holidays*

1. The 1st January, being New Year's Day, if a week day;
2. The 21st January, being Errol Barrow Day, if a week day;
3. Good Friday;
4. Easter Monday;
5. The 28th April, being National Heroes Day, if a week day;
6. The 1st May, being Labour Day, if a week day;
7. Whit Monday;
8. The 1st August, being Emancipation Day, if a week day;
9. The first Monday in August;
10. The 30th November, being Independence Day, if a week day;
11. The 25th December;
12. The 26th December, if a week day.

Where

- (a) in any year the 1st January, the 21st January, the 28th April, the 1st May, the 30th November or the 26th December falls on a Sunday, the next following Monday shall be a public holiday;
- (b) in any year the 1st August falls on a Sunday or a Monday, the next following Tuesday shall be a public holiday;

- (c) in any year the 25th December falls on a Sunday, the next following Tuesday shall be a public holiday.

[1974/286; 1978/217; 1983/79; 1989/2; 1997/70; 1998-11]

SECOND SCHEDULE*(Section 6)**Persons and businesses to which section 4 shall not apply*

1. Hospitals, nursing homes, the surgeries of legally qualified medical practitioners, dentists registered under the *Dental Registration Act*, Cap. 367, and midwives and nurses registered under the *Nurses and Midwives (Registration) Act*, Cap. 372.
2. Hotels, clubs, boarding houses, restaurants and refreshment bars.
3. Shops engaged in the sale or purchase of any drugs or surgical appliances or any article required in the case of illness of any person or animal, provided that the shop is kept open only for such time as is necessary for serving the customer.
4. Cinematograph and dramatic companies and the sale of programmes and refreshments in cinemas, theatres and other licensed places of public entertainment.
5. Shops engaged in the business of undertakers of funerals, in respect of such business only.
6. Shops licensed to sell spirits, malt liquors and wines in accordance with the *Liquor Licences Act*, Cap. 182, in respect only of the sale or purchase of spirits, malt liquors, wines, non-alcoholic beverages, cigarettes, cigars, tobacco and matches.
7. Shops engaged in the sale of ships' and aircraft stores, provided that the shop is kept open only for such time as is necessary for supplying a ship or aircraft while in port or base.
8. Public transport companies.

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9. Taxicabs and garages providing vehicles for hire.
 10. The business of light and power companies.
 11. The business of telephone companies.
 12. The business of telegraph companies.
 13. The business of gas companies.
 14. The business of steamship agents.
 15. The business of airline agents.
 16. The business of sugar factories and plantations.
 17. Companies manufacturing ice.
 18. The business of manufacturing sulphuric acid.
 19. The business of distilling rum.
 20. The business of brewing beer, stout and malt.
 21. The business of sawmilling.
 22. The business of processing shrimps.
 23. Petrol filling stations, including motor repair and service stations, in respect of the sale of petrol products, lubricants and accessories required for immediate use in or for the urgent repair of a motor vehicle.
 24. Shops in respect only of the sale of milk and milk products within the meaning of section 2(1) of the *Dairy Industry (Regulation and Control) Act*, Cap. 260, ice, fresh fish, fresh fruit and vegetables.

- 25.** Shops engaged in the sale of newspapers.
- 26.** The making of articles of clothing, boots and shoes to order in shops where no other business is carried on.
- 27.** The Barbados Marketing Corporation.
- 28.** Persons or companies providing services in connection with the operation of any harbour or airport.
- 29.** Shops for the sale of bread and fresh meat not later than nine o'clock in the morning.
- 30.** Shops for the sale of handicrafts of Common Market origin within the meaning of section 6 of the *Caribbean Community Act, Cap. 15* or the products of cottage industries.
- 31.** The business of persons to whom a licence to search for petroleum or natural gas under the provisions of the *Petroleum (Winning Operations) Act, Cap. 281* has been granted.
- 32.** The business of quarries under the *Quarries Act, Cap. 353*.
- 33.** The Barbados Turf Club and racing service businesses carried on on registered premises within the meaning of section 2 of the *Betting and Gaming Duties, Act, Cap. 60*.