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3 September 1990

CIRCULAR NO: 5/90

### **BANK HOLIDAYS FOR OFFICERS OF THE PUBLIC SERVICE**

In pursuance of the provisions of Section 6 of the Holidays Act 1983-1990, the Honourable the Minister for Employment, Training and Industrial Relations may by notification published in the Queensland Government Gazette or the Queensland Government Industrial Gazette appoint a special holiday either throughout the State or within such district as may be specified in the notification.

A special holiday appointed under the Act shall be regarded as a bank holiday in the district specified in the notification except where the holiday is in respect of an annual agricultural, horticultural or industrial show when it shall also be a public holiday.

Under the Trading Hours Act 1990, banks and insurance companies are required to be closed on bank holidays.

A number of enquiries have been received as to whether bank holidays apply to officers of the Public Service.

In this regard, I wish to draw your attention to Regulation 26 of the Public Service Management and Employment Act 1988 – 1990, which states –

“A Chief Executive may require the whole or part of a Department to remain open in the public interest for the whole or portion of a public holiday to be observed or a special holiday appointed pursuant to the Holidays Act 1983-1990 and may require the attendance of any officer for this purpose”

Officers of the Public Service would therefore be entitled to bank holidays except where the Chief Executive directed otherwise in the public interest.

It might be noted that in terms of Section 8 of the Holidays Act 1983-1990, an officer required to work on a bank holiday between the ordinary starting and ceasing times as prescribed by the relevant award would not be entitled to any additional penalty payments for such work.

In future, gazettal notifications issued by this Department in relation to special holidays appointed under the Holidays Act 1983-1990 will indicate the nature of the holiday granted.

Should you have any enquiries concerning the above advice you might wish to contact Mr P.L. Jarrett on 22 75576.

Yours faithfully

B J NUTTER  
Acting Director-General