



Tonga

# **PUBLIC HOLIDAYS ACT**

**1988 Revised Edition**





# PUBLIC HOLIDAYS ACT

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# PUBLIC HOLIDAYS ACT

Act No. 8 of 1919, 11 of 1970, 18 of 1988.

## AN ACT TO MAKE PROVISION FOR PUBLIC HOLIDAYS

Commencement [24th November, 1919]

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### 1 Short title.

This Act may be cited as the Public Holidays Act.

### 2 Public holidays.

The days in this section specified that is to say—

- (a) New Year's Day;  
Birthday of the reigning Sovereign of Tonga;  
Birthday of the Heir to the Crown of Tonga;  
Good Friday;  
Easter Monday;  
Emancipation Day—June 4;  
the Anniversary of the Coronation Day of the reigning Sovereign of Tonga;  
Constitution Day—November 4;  
the Anniversary of the Coronation of H.M. King George Tubou I—  
December 4;

Christmas Day and the day immediately succeeding Christmas Day;  
and

- (b) any special day that His Majesty in Council may from time to time appoint ;<sup>1</sup>

shall be kept and observed as public holidays:

Provided always that when any of the days specified falls upon a Sunday, the next following Monday shall be a public holiday and that whenever the twenty-sixth day of December falls upon a Monday the day following shall be a public holiday. (*Amended by Act 11 of 1970.*)

### **3 Public holiday to be *dies non*.**

No person shall be compelled to make any payment or do any act upon any of such public holidays which he would not be compellable to make or do upon a Sunday and the making of such payment and doing such act on the day following such public holiday shall be equivalent to payment of the money or performance of the action on such holiday.

### **4 Compulsory closing of stores by Order in Council.**

It shall be lawful for His Majesty by Order in Council from time to time to direct that all stores, shops and other places of business in all towns throughout the Kingdom or in any one or more of such towns as may be specified in the order shall be and remain closed upon any one or more of the days specified in section 2 hereof or upon any such special day or days as His Majesty by Order in Council shall appoint to be kept as public holidays.

### **5 Penalty for keeping open store.**

Whosoever by Order in Council made under section 4, stores, shops and places of business in any town or towns within the Kingdom are directed to be and remain closed upon a day or days specified in such order it shall be unlawful for any person to keep open any store, shop or other place of business other than a hotel in any of the towns named in such order or to sell or cause to be sold in any such store, shop or other place of business any goods or articles whatsoever. Any person who shall contravene the provisions of this section shall on conviction therefor before the magistrate from the district where the offence was committed be liable to a fine not exceeding \$100 and in default of payment to imprisonment for any term not exceeding 2 months. (*Amended by Act 18 of 1988.*)

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<sup>1</sup> Anzac Day, 25 April, has been appointed

**6 Exemptions.**

There shall be excepted from the operation of the last preceding section—

- (a) the sale of any drugs or medicines;
- (b) the sale of bread, butter, fresh milk, fresh meat, fresh fish and ice not later than noon;
- (c) the sale of refreshments in any ice cream stores, tea or refreshment rooms;
- (d) the sale of any article required for the burial of a dead body.