

1. What Laws can we find information on Public Holidays?

- Public Holiday Act Cap114
- Employment Act Cap 160

2. Can the President of the Republic declare other public holidays?

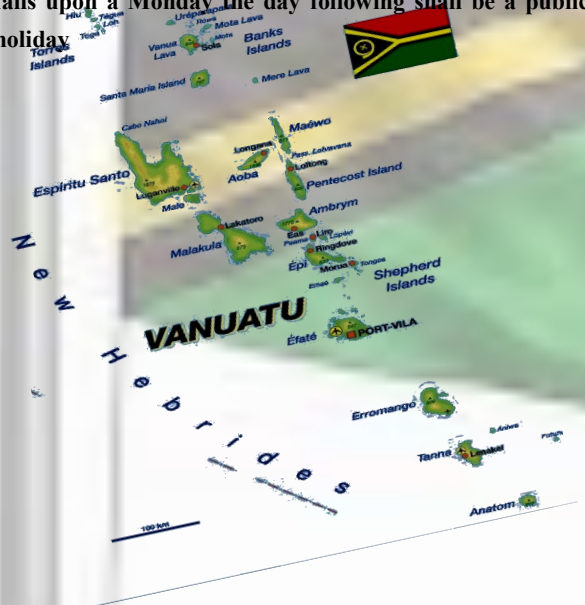
(Public Holiday Act Cap114 Section 2)

- The President acting on the advice of the Prime Minister may from time to time declare other days as public holidays.

3. What happens if Public Holiday falls on Sunday?

(Public Holiday Act Cap114 Section 3)

- When any of the days stated is a Sunday the following Monday shall be a public holiday and when Family Day falls upon a Monday the day following shall be a public holiday.



PUBLIC HOLIDAY

BROCHURE

INDUSTRIAL RELATIONS UNIT

Private Mail Bag 9022

P.O. Box 03

TEL: (678) 33130

TEL: (678)33740

PORT VILA

LUGANVILLE

Purpose:

The purpose of this brochure is to provide information to all employees and employers about Vanuatu's Public Holidays. This brochure contains the following information;

1. what laws provide information's regarding Public holiday?
2. Can the President of the Republic declare other public holidays?
3. what happens if Public Holiday falls on Sunday?
4. what are the Official National Public Holiday in 1 year?
5. what are the dates of Provincial Holiday?
6. Public Holiday Overtime Calculations
7. What are the Essential businesses that can operate on Public holidays?
8. what happens if you work on Public Holiday?



4. What are the Official National Public Holiday in 1 year?

- New Year's Day(1 January)
- Lini Day(21 February)
- Custom Chief's Day(5 March)
- Good Friday
- Easter Monday
- Labour Day(1 May)
- Ascension Day(13 May)
- Children's National Day(24 July)
- Independence Day..... (30 July)
- Assumption Day(15 August)
- Constitution Day..... (5 October)
- National Unity Day(29 November)
- Christmas Day(25 December)
- Family Day(26 December)

5. What are the dates of Provincial Holidays.

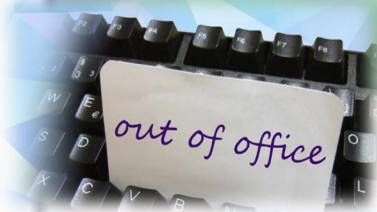
- Shefa Day18 June
- Penama Day.....16 September
- Sanma Day..... 24 September
- Torba Day..... 2 October
- Tafea Day..... 8 October
- Malampa Day..... 10 October

The above provincial public holidays are to be a public holiday for all the people of each of the above provinces working and residing throughout Vanuatu.

6. Working on Public Holiday

(Employment Act Cap 160 Section 23)

23. Work on public holidays
- (1) Except where he voluntarily undertakes so to do no employee shall be required to work on a Sunday or public holiday.
- (2) Subsection (1) shall not apply in relation to persons employed in –
- (a) undertakings engaged in the transport of passengers or goods by road, sea or air, including the handling of passengers or goods at docks, quays, wharves, warehouses or airports;
 - (b) undertakings of public utility including provision of water or gas, generation or supply of electricity, postal and telecommunication services, sewerage and similar services;
 - (c) hotels, guest houses, bars, restaurants, clubs and similar establishments;
 - (d) theatres and places of public amusement;
 - (e) establishments for the treatment and care of the sick, in firm, destitute or mentally unfit;
 - (f) newspaper and radio broadcasting undertakings;
 - (g) animal husbandry;
 - (h) any other work approved, on the application of an employer, by a labour officer for the purpose of this subsection, having regard to the requirements of the proper management of the undertaking and the convenience of the public.
- (3) An employee working on a Sunday or public holiday in pursuance of subsection (2) shall be granted an equivalent period of time off work on another day.



7. What are the Essential businesses that can operate on Public holidays?

(Employment Act Cap 160 Section 23)

- a) Transport of passengers, goods by road, sea or air..
- b) Businesses handling passengers or goods at docks, quays, wharves, warehouses or airports;
- c) Public Utility - Water Supply, Gas stations, Electricity, Telecommunication etc..
- d) Hotel, guest houses, bars, restaurant, clubs etc..
- e) Theatres and Place of Public amusement
- f) Hospitals, clinics etc..
- g) Radio broadcasting, Newspaper, & Television broadcasting
- (g) Animal husbandry; - Livestock



(Public Holiday Act Cap114 Section 7)

- (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 places where refreshments are habitually sold for consumption on the premises

8. Public Holiday Overtime Section 26

Employment Act Cap 160 Section 26. Overtime pay

- (1) *In respect of work carried out in excess of the normal hours of work mentioned in section 22(1)(a) –*
- (a) *for work on public holidays or Sundays: at a minimum rate equal to one-and-a-half times the normal hourly rate;*

Rate per hour x Total hours per day x 1.5 = ANS.

Example:

$$220\text{Vt} \times 4 \text{ hours} \times 1.5 = \underline{1,320\text{VT}}$$



NOTE: Public holiday rate shall not apply to employees employed in Essential Services in Section 23 but only day offs in Section 23(3).

