

# **STATES OF JERSEY**



## **DRAFT PUBLIC HOLIDAYS AND BANK HOLIDAYS (JERSEY) ACT 200- (P.56/2004): COMMENTS**

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**Presented to the States on 5th October 2004  
by the Economic Development Committee**

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**STATES GREFFE**

## COMMENTS

The Economic Development Committee considers that the creation of additional days awarded as public holidays will result in a significant cost to the business community where a Saturday is treated as a normal working day by many businesses.

The Committee believes that there should be no change to the existing practice whereby any required changes to the prescribed public holidays would require specific States' approval as and when the circumstances arise. The Committee does not, therefore, support amending the Law to permanently create **additional** public holidays when Christmas Day and New Year's Day fall on a Saturday.

The Legislation Committee's report states that "*it has become established practice for the States, by Act and on the recommendation of the Legislation Committee, following Royal Proclamation from the United Kingdom, to grant additional days on 28th December and 3rd January respectively.*" However, at least in the case of New Year's Day there is not a clear pattern of established States' practice. The States appointed an additional public holiday on Monday 3rd January, when New Year's Day occurred on a Saturday, in 1977 and 2000. However, for the years 1983 and 1994 the States approved Acts which had the effect of **substituting** the public holiday from the Saturday on which New Year's Day occurred to the following Monday.

The proposals also do not follow United Kingdom practice, as is suggested in the report, which is to appoint substitute days for all U.K. bank and public holidays that fall on a Saturday or Sunday.

The Committee considers that awarding an additional holiday where Christmas or New Year falls on a Saturday should be at the discretion of an individual business subject to agreement with their staff and dependent on its size and the nature of that business.

Accordingly, when circumstances arise where it is thought appropriate to change the prescribed public holidays the Committee believes that substitute days rather than additional days should be awarded. Furthermore, the Committee is concerned that these proposals have come before the States without sufficient consultation and that this proposition will potentially harm economic efficiency at the very time when the States are seeking to encourage economic growth.

The Committee does not support this proposition.