

BILL NO. 21 OF 2015

A BILL

FOR AN ACT TO AMEND THE EMPLOYMENT RELATIONS PROMULGATION 2007

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Employment Relations (Amendment) (No. 2) Act 2015.

(2) This Act shall come into force on the date of its publication in the Gazette.

Section 64 amended

2. The Employment Relations Promulgation 2007 is amended by deleting section 64 and substituting the following new section—

“Declared public holidays

64.—(1) The following days must be kept as public holidays in all working places—

- (a) New Years Day;
- (b) Good Friday;
- (c) Easter Saturday;

- (d) Easter Monday;
- (e) Prophet Mohammed's Birthday;
- (f) National Sports Day;
- (g) Constitution Day;
- (h) Fiji Day;
- (i) Diwali;
- (j) Christmas Day; and
- (k) Boxing Day.

(2) The Minister, following approval of the Prime Minister, may amend the list of declared public holidays under subsection (1) by notice in the Gazette.”

Office of the Attorney-General
Suvavou House
Suva

August 2015

EMPLOYMENT RELATIONS (AMENDMENT) (NO. 2) BILL 2015

EXPLANATORY NOTE

(This note is not part of the Bill and is only intended to indicate its general effect)

1.0 BACKGROUND

- 1.1 The Employment Relations Promulgation 2007 (**‘Promulgation’**) makes provision for public holidays in Fiji, and since 2010, the Government has progressively reduced the number of public holidays.
- 1.2 For the first time in 2015, a public holiday was declared for the purpose of recognising sports and sporting development as a whole in Fiji.
- 1.3 In furthering Government’s commitment in building a new and all inclusive Fiji and to commemorate our achievements as a nation, it is proposed that there be an additional public holiday on 7 September to be declared as ‘Constitution Day’. This is to give more prominence to our Constitution and to create awareness on the essential constitutional provisions afforded to all Fijians.
- 1.4 The Employment Relations (Amendment) (No. 2) Bill 2015 (**‘Bill’**) seeks to amend the Promulgation to ensure that the National Sports Day and the Constitution Day are public holidays under the Promulgation.

2.0 CLAUSES

- 2.1 Clause 1 provides for the short title and the commencement date.
- 2.2 Clause 2 amends section 64 of the Promulgation by deleting the current list of public holidays and substituting a new list of public holidays which includes National Sports Day and Constitution Day.
- 2.3 Clause 2 also empowers the Minister, following the approval of the Prime Minister, to amend the list of declared holidays by notice in the Gazette.

3.0 MINISTERIAL ASSIGNMENT

3.1 The Promulgation comes under the responsibility of the Minister responsible for Employment, Productivity and Industrial Relations.

A. SAYED-KHAIYUM
Attorney-General