

A BILL

entitled

PUBLIC HOLIDAYS AMENDMENT ACT 2012

WHEREAS it is expedient to provide that section 8 of the Public Holidays Act 1947 does not apply on 6 April 2012 in the Town of St George, in order to accommodate passengers on the cruise ship “Azamara Journey” which is scheduled to visit on that day;

AND WHEREAS it is expedient to amend the Public Holidays Act 1947 to empower the Minister to make exemption orders relating to future public holidays in circumstances of national interest;

Be it enacted by The Queen’s Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Public Holidays Amendment Act 2012.

Section 8 not to apply on 6 April 2012 in Town of St George

2 Section 8 of the Public Holidays Act 1947 does not apply on 6 April 2012 (Good Friday)—

- (a) to any shops in the Town of St George; and
- (b) to any person who sells, exposes or offers for sale any goods or merchandise to the public in the Town of St George.

Inserts section 12

3 After section 11 of the Public Holidays Act 1947 insert—

“Exemptions to section 8: circumstances of national interest

12 (1) This section applies if, in relation to a particular public holiday other than Christmas Day, the Minister considers it to be necessary in the national interest of Bermuda to provide full or partial exemptions from the prohibition in section 8.

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(2) The Minister may, by order subject to the negative resolution procedure, specify the exemptions which will apply on the specified date, and any conditions to which the exemptions are subject.

(3) Without prejudice to the generality of subsection (2), an order under this section may specify that the exemptions apply only—

(a) to shops of a specified type; or

(b) to shops in a specified location.

(4) “Minister” means the Minister responsible for the Registrar of Companies.”

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EXPLANATORY MEMORANDUM

This Bill seeks to make exemptions from the prohibition in section 8 of the Public Holidays Act 1947 on the sale of goods and opening of shops, in circumstances of national interest.

Clause 1 is self-explanatory.

Clause 2 provides that section 8 of the Public Holidays Act 1947 (which prohibits the opening of shops and the sale of goods unless otherwise exempted under the Act) does not apply on 6 April 2012 (Good Friday) in the Town of St George. The reason for making this exemption is to accommodate passengers on the cruise ship "Azamara Journey" which is scheduled to visit on that day.

Clause 3 inserts new section 12 of the Public Holidays Act 1947 which empowers the Minister to provide exemptions to the ban in section 8 in the national interest of Bermuda on other public holidays, but not on Christmas Day. Subsection (2) provides that the exemptions would be made by order subject to the negative resolution procedure, and can be subject to conditions. Subsection (3) provides that the exemptions may, in particular, relate only to shops of a specified type or in a specified location.