

PUBLIC HOLIDAYS (AMENDMENT) BILL, 2018

ARRANGEMENT OF SECTIONS

*Section*

1. Short Title of Act 601 amended
2. Section 1 of Act 601 amended
3. Section 4A inserted
4. Section 7 of Act 601 amended
5. Schedule to Act 601 amended

*Public Houldays (Amendmen) Bil, 2018*

A  
**BILL**

ENTITLED

**PUBLIC HOLIDAYS (AMENDMENT) ACT, 2018**

AN ACT to amend the Public Holidays Act, 2001 (Act 601) to provide for the 7<sup>th</sup> day of January, the 4<sup>th</sup> day of August and the 21<sup>st</sup> day of September as statutory public holidays and for related matters.

Passed by Parliament and assented to by the President:

**Short Title to Act 601 amended**

1. The Public Holidays Act, 2001 (Act 601) referred to in this Act as the “principal enactment” is amended by the substitution for the Short Title, of “Public Holidays and Commemorative Days Act, 2001 (Act 601)”.

**Section 1 of Act 601 amended**

2. The principal enactment is amended in section 1 by the insertion before the word “Schedule”, of “First”.

**Section 4A inserted**

3. The principal enactment is amended by the insertion after section 4, of

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**“Commemorative days**

4A. A day specified in the Second Schedule shall be celebrated as a commemorative day.”.

**Section 7 of Act 601 amended**

4. The principal enactment is amended by the substitution for section 7, of

**“ Interpretation**

7. In this Act, unless the context otherwise requires,

“commemorative day” means a day other than a statutory public holiday which is set aside in remembrance of an important person or an important event in the past; and

“shop” includes a store or any premises for the sale of goods.”.

**Schedule to Act 601 amended**

5. The principal enactment is amended by the substitution for the Schedule of,

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**“FIRST SCHEDULE**

**PUBLIC HOLIDAYS**

*(section 1)*

New Year's Day (1<sup>st</sup> January)  
Constitution Day (7<sup>th</sup> January)  
Independence Day (6<sup>th</sup> March)  
Good Friday  
Easter Monday  
Eid-al-Adha Festival (Hajj)  
Eid-al-Fitr (Ramadan)  
Workers' Day (1<sup>st</sup> May)  
Founders' Day (4<sup>th</sup> August)  
Kwame Nkrumah Memorial Day (21<sup>st</sup> September)  
Farmers Day (1<sup>st</sup> Friday in December)  
Christmas Day (25<sup>th</sup> December)  
Boxing Day (26<sup>th</sup> December)

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SECOND SCHEDULE  
COMMEMORATIVE DAYS  
*(section 4A)*

African Union Day (25<sup>th</sup> May)  
Republic Day (1<sup>st</sup> July).”

Date of *Gazette* notification: 12th November, 2018.

## PUBLIC HOLIDAYS (AMENDMENT) BILL, 2018

### MEMORANDUM

The purpose of the Bill is to amend the Public Holidays Act, 2001 (Act 601) to provide for the 7<sup>th</sup> day of January, the 4<sup>th</sup> day of August and the 21<sup>st</sup> day of September as additional statutory public holidays and for the celebration of commemorative days with the 25<sup>th</sup> day of May and the 1<sup>st</sup> day of July as commemorative days.

Over the years, successive generations of Ghanaians have made vital contributions to the liberation of our country from imperialism and colonialism. It is against this background that this Bill seeks to provide for additional public holidays to be celebrated in recognition of significant historical events and in honour of persons who have contributed to the founding of our nation.

On 4<sup>th</sup> August, 1897, the Aborigines Rights Protection Society was formed in Cape Coast to resist the enactment of the Crown Lands Bill and to begin the assertion of our national property rights. It is therefore important that we acknowledge and honour the members of the Society, and the role that they played in the process. Some members of the Society including Jacob W. Sey, John Mensah Sarbah, Joseph Casely Hayford, J.P. Brown organised the chiefs and people of the then Gold Coast to protest against the Crown Lands Bill which eventually lit the flame of self-determination and paved way for the struggle for the independence of Ghana. The bravery exhibited by these nationalists and their successful efforts in opposing the Crown Lands Bill was a colossal step taken to preserve the lands of our dear nation and save our country from the struggles that our brothers and sisters in the Southern and Eastern parts of Africa had to deal with, even till today.

Fifty years later, the founders of the United Gold Coast Convention (U.G.C.C.), the first nationalist party of the Gold Coast, met in Saltpond on 4<sup>th</sup> August, 1947 for the inauguration of the Convention and to lead the nation in the fight for independence from the British. The gathering included paramount chiefs, clergymen, lawyers, entrepreneurs, teachers, traders and men and women from all walks of life in the Gold Coast.

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Notable among those who played a key role in the formation and organisation of the Convention were George “Paa” Grant, Joseph Boakye Danquah, R.S. Blay, Francis Awoonor Williams, J.W. de Graft Johnson, Emmanuel Obetsebi-Lampitey, William Ofori-Atta, Ebenezer Ako-Adjei, Edward Akufo-Addo and Cobbina Kessie. The inauguration of the Convention set the ball rolling for our nation’s attainment of independence, and for the dramatic events, including the birth of the Convention Peoples’ Party (CPP) in 1949 that ushered us into independence.

The 4<sup>th</sup> day of August therefore marks an important day to signify our recognition and appreciation of the collective efforts of our forebears towards the founding of a free, independent Ghana.

The nation’s first President, Dr. Kwame Nkrumah, also played an outstanding role in helping to bring to fruition the works of the earlier generations, thereby leading us to the promised land of national freedom and independence. It is therefore appropriate that we honour him for that role, by designating his birthday, 21<sup>st</sup> day of September, as a national holiday.

The 1992 Constitution established the Fourth Republic, which was inaugurated on 7<sup>th</sup> January, 1993. The Fourth Republic has provided the basis for the longest, uninterrupted period of stable, constitutional rule in the history of Ghana. It has witnessed seven successive presidential and parliamentary elections and the assumption of office of five Presidents, four of whom are still alive. The transfer of power between the two major political parties, on three occasions in the Fourth Republic has been peaceful, without the unfortunate incidents of violence and war that have characterised the history of some of our neighbouring countries. During this period, there have been landmark cases that have shaped the constitutional jurisprudence and entrenched the fundamental human rights of the people of Ghana, including freedom of speech. It is therefore worth setting aside the 7<sup>th</sup> day of January as a national holiday to acknowledge our collective efforts, as a country, in ensuring that the tenets of democracy, the rule of law and the principles of constitutionalism are upheld.

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Ghana first became a Republic on 1<sup>st</sup> July, 1960, which opened the door for subsequent Republics, that is, the Second, Third and Fourth Republics. For this reason, it is important to recognise this day and commemorate it, to mark the total independence of our nation.

*Clause 1* of the Bill amends the Short Title of Act 601 to read the “Public Holidays and Commemorative Days Act” instead of the “Public Holidays Act.” This is in view of the fact that the Bill also provides for the celebration of commemorative days.

The purpose of the amendment in *clause 2* is to introduce a Second Schedule which lists the days set aside for commemoration. *Clause 5* therefore amends the Schedule to Act 601 by introducing the 7<sup>th</sup> day of January, the 4<sup>th</sup> day of August and the 21<sup>st</sup> day of September as additional public holidays and providing for a new Second Schedule which lists the days intended to be celebrated in commemoration of an important person or a significant historical event rather than being celebrated as a public holiday.

*Clause 3* amends Act 601 by introducing a new section 4A to provide for the celebration of commemorative days.

The definition for “commemorative day” is provided for under *clause 4* of the Bill.

**AMBROSE DERY (MP)**

*Minister responsible for the Interior*

Date: 7th November, 2018,