

A BILL

To

Amend the General Holidays Ordinance and the Employment Ordinance to change the day that is to be substituted as a general holiday and statutory holiday where any of the first 3 days of a Lunar New Year, or the day following the Chinese Mid-Autumn Festival, falls on a Sunday.

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the General Holidays and Employment Legislation (Substitution of Holidays) (Amendment) Ordinance 2011.
 - (2) This Ordinance comes into operation on a day to be appointed by the Secretary for Labour and Welfare by notice published in the Gazette.
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Part 2

Amendments to General Holidays Ordinance

2. General Holidays Ordinance amended

The General Holidays Ordinance (Cap. 149) is amended as set out in section 3.

3. Schedule amended (general holidays)

(1) The Schedule, paragraph (c)—

Repeal

everything after “a Sunday, then”

Substitute

“the fourth day of Lunar New Year);”.

(2) The Schedule, paragraph (d)—

Repeal

everything after “a Sunday, then”

Substitute

“the fourth day of Lunar New Year);”.

(3) The Schedule, paragraph (e)—

Repeal

everything after “a Sunday, then”

Substitute

“the fourth day of Lunar New Year);”.

(4) The Schedule, paragraph (o)—

Repeal

“the day of that Festival)”

General Holidays and Employment Legislation (Substitution of Holidays)
(Amendment) Bill 2011

Part 2
Clause 3

C4227

Substitute

“the second day following that Festival”).

Part 3

Amendments to Employment Ordinance

4. Employment Ordinance amended

The Employment Ordinance (Cap. 57) is amended as set out in section 5.

5. Section 39 amended (grant of holidays)

(1) Section 39(1)(a)—

Repeal

everything after “a Sunday, then”

Substitute

“the fourth day of Lunar New Year;”.

(2) Section 39(1)(b)—

Repeal

everything after “a Sunday, then”

Substitute

“the fourth day of Lunar New Year;”.

(3) Section 39(1)(c)—

Repeal

everything after “a Sunday, then”

Substitute

“the fourth day of Lunar New Year;”.

(4) Section 39(1)(f)—

Repeal

everything after “a Sunday,”

General Holidays and Employment Legislation (Substitution of Holidays)
(Amendment) Bill 2011

Part 3
Clause 5

C4231

Substitute

“then the second day following that Festival;”.

Explanatory Memorandum

The purpose of this Bill is to designate another day as a holiday in substitution in case any Lunar New Year holiday or Chinese Mid-Autumn Festival holiday falls on a Sunday.

2. Clause 3 amends the General Holidays Ordinance (Cap. 149) to provide that—
 - (a) if any of the first 3 days of a Lunar New Year falls on a Sunday, the fourth day of the Lunar New Year is substituted as a general holiday; and
 - (b) if the day following the Chinese Mid-Autumn Festival falls on a Sunday, the second day following that Festival is substituted as a general holiday.

3. Clause 5 amends the Employment Ordinance (Cap. 57) to provide that—
 - (a) if any of the first 3 days of a Lunar New Year falls on a Sunday, the fourth day of the Lunar New Year is substituted as a statutory holiday; and
 - (b) if the day following the Chinese Mid-Autumn Festival falls on a Sunday, the second day following that Festival is substituted as a statutory holiday.