



CIRCULAR TO DEPARTMENTS AND AUTHORITIES No. 1 of 2013

STATUTORY PUBLIC HOLIDAYS FOR 2013

Under the provisions of the *Public and Bank Holidays Act 1972 (WA)*, the following dates are public holidays during 2013:

New Year's Day	Tuesday 1 January 2013
Australia Day	Monday 28 January 2013
Labour Day	Monday 4 March 2013
Good Friday	Friday 29 March 2013
Easter Monday	Monday 1 April 2013
ANZAC Day	Thursday 25 April 2013
Western Australia Day	Monday 3 June 2013
*Queen's Birthday	Monday 30 September 2013
Christmas Day	Wednesday 25 December 2013
Boxing Day	Thursday 26 December 2013

Substitution of Public Holidays

Public sector awards and/or industrial agreements may contain substitution clauses for public holidays that fall on a weekend.

For example, when a public holiday falls on a Saturday or Sunday an award or agreement may specify that the holiday be observed on the next following Monday. Likewise, when Boxing Day falls on a Sunday or Monday, an award or agreement may require that it be observed on the next following Tuesday.

Agencies should note that such an award or industrial agreement provision prevails over any inconsistent provisions of the *Public and Bank Holidays Act 1972*.

Repealed Public Service Holidays

Easter Tuesday and the day after New Year's Day are no longer public service holidays. Employees, who would have otherwise received the benefit of repealed public service holidays, are able to take two days' paid leave of absence in lieu of the repealed public service holidays.

The two additional days, paid at the rate of ordinary time, can be added to annual leave or taken individually but must be taken in the year in which they occur. Under no circumstances should these days be allowed to accrue (please refer to Public Sector Commissioner's Circular 2009-32).

Western Australia Day

The *Western Australia Day (Renaming) Act 2011* changed the name of the Foundation Day public holiday to "Western Australia Day" by amending the *Public and Bank Holidays Act 1972* and the *Minimum Conditions of Employment Act 1993*.

*Alternative Regional Queen's Birthday Dates

Section 8(1) of the *Public and Bank Holidays Act 1972* enables the Governor to declare alternative public holidays in specific regions within Western Australia. It is common practice for regional local governments to request an alternative Queen's Birthday public holiday date of significance within their municipalities.

The following are the alternative regional Queen's Birthday dates which have been gazetted:

Local Government Authority	Alternative Date	Area Affected
Town of Port Hedland	Monday 5 August 2013 Port Hedland Cup Day	The area comprising the Port Hedland local government district.
Shire of Roebourne	Monday 5 August 2013 Community Festival (FeNaCING)	The area comprising the Roebourne local government district.
Shire of East Pilbara	Monday 8 July 2013 Marble Bar Cup Race Day	The area comprising that part of the East Pilbara local government district that is in, or within 150km of, the townsite of Marble Bar (constituted under the <i>Land Administration Act 1997</i> section 26(2)), including the townsite of Nullagine (as constituted under that section), but not within 150km of the townsite of Newman (as constituted under that section).
Shire of East Pilbara	Monday 19 August 2013 Fortescue Festival	The area comprising that part of the East Pilbara local government district that is in, or within 150km of, the townsite of Newman (constituted under the <i>Land Administration Act 1997</i> section 26(2)).



BOB HORSTMAN
EXECUTIVE DIRECTOR
LABOUR RELATIONS

31 January 2013