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| Chapter: | 149 | General Holidays Ordinance | Gazette Number | Version Date |
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| | | Long title | E.R. 2 of 2012 | 02/08/2012 |
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To consolidate and amend the law relating to general holidays.

(Amended 19 of 1967 s. 2)

[10 January 1947]

(Originally 1 of 1947 (Cap 149, 1950))

(*Format changes—E.R. 2 of 2012)

Note:

1. * The format of the Ordinance has been updated to the current legislative styles.

2. For-

- (a) general holidays in 1981, also see 39 of 1981;
- (b) general holidays in 1986, also see 35 of 1986;
- (c) general holidays in 1997, also see L.N. 294 of 1996, 84 of 1997 and s. 2(2) and (3) of 111 of 1997;
- (d) general holidays in 1998, also see s. 3 of 111 of 1997;
- (e) the Schedule of general holidays replaced by s. 4 of 35 of 1998, see the Revised Edition of the Laws;
- (f) general holiday in 2015, also see s. 2(a) of 9 of 2015.

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| Section: | 1 | Short title | E.R. 2 of 2012 | 02/08/2012 |
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This Ordinance may be cited as the General Holidays Ordinance.

(Amended 35 of 1998 s. 2)

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| Section: | 2 | Interpretation | E.R. 2 of 2012 | 02/08/2012 |
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In this Ordinance, unless the context otherwise requires-

***general holiday** (公眾假期) means a day which, subject to the provisions of sections 4 and 7, shall be kept as a holiday by all banks, educational establishments, public offices and Government departments.

(Amended 19 of 1967 s. 3)

Note:

* Please see, however, section 85A of Cap 279 and section 13 of Cap 320 which read as follows-

"85A. Conducting courses on general holidays

Notwithstanding anything in the General Holidays Ordinance (Cap 149), a registered school or provisionally registered school may conduct educational courses or give instructions on a general holiday.

13. Conducting courses on general holidays

Notwithstanding anything in the General Holidays Ordinance (Cap 149), a College may conduct educational courses or give instructions on a general holiday."

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| Section: | 3 | General holidays | E.R. 2 of 2012 | 02/08/2012 |
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Subject to section 6, the days specified in the Schedule shall be general holidays.

(Replaced 70 of 1983 s. 2)

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| Section: | 4 | Operation of Government department or court on general holidays | E.R. 2 of 2012 | 02/08/2012 |
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- (1) Anything in this Ordinance or any other law to the contrary notwithstanding, the head of any Government department may, if in his opinion the interests of the public service or the convenience of the public so require, open and operate any of the offices and works thereof on a general holiday and require any of the persons serving in his department to perform any of their duties and functions on a general holiday.
- (2) Anything in this Ordinance or any other law to the contrary notwithstanding, the Chief Justice may direct that any court or any of the offices of any court shall be open on a general holiday for the transaction of such business as the Chief Justice may think fit and may require any of the persons serving in any such court or office to perform any of their duties and functions on a general holiday.

(Replaced 19 of 1967 s. 6)

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| Section: | 5 | No obligation to do acts relating to negotiable instruments on general holidays | E.R. 2 of 2012 | 02/08/2012 |
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Subject to the provisions of section 14 of the Bills of Exchange Ordinance (Cap 19), it shall not be necessary for any person to make any payment or to do any other act, including noting or protesting, relating to any negotiable instrument on a general holiday, but all obligation to make such payment or to do any such other act shall apply to the next following day not being itself a general holiday.

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| Section: | 6 | Additional or substituted general holidays and amendment of Schedule | E.R. 2 of 2012 | 02/08/2012 |
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- (1) The Legislative Council may by resolution-
- (a) appoint any day in any particular year to be observed as a general holiday in addition to, or in substitution for, any day specified in the Schedule;
 - (b) amend the Schedule by-
 - (i) adding any day to the list of days which are to be observed as a general holiday or removing any day from that list;
 - (ii) altering the designation of any general holiday or the day on which it is to be observed;
 - (iii) making such provision supplementary to any such addition or alteration as may be necessary or expedient for the purpose of giving full effect to the amendment including provision enabling the Chief Executive to vary the day on which a general holiday is to be observed. (Amended 35 of 1998 s. 3; 54 of 2000 s. 3)
- (2) Subject to subsection (3), if in any year two general holidays fall on the same day, the next following day that is not itself a general holiday is to be observed as an additional general holiday in that year. (Replaced 35 of 1998 s. 3)
- (3) The Chief Executive in Council may, by order in the Gazette, appoint any day in any year to be observed as an additional general holiday in place of another day that would otherwise be an additional general holiday in that year under subsection (2). (Added 35 of 1998 s. 3)

(Replaced 70 of 1983 s. 3)

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| Section: | 7 | Magistrates may act on general holidays | E.R. 2 of 2012 | 02/08/2012 |
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Permanent magistrates, and special magistrates may exercise all the jurisdiction and powers conferred on them by any enactment in force in Hong Kong on any day, whether a general holiday or not.

(Added 43 of 1955 s. 2. Amended 13 of 1995 s. 34; 54 of 2000 s. 3)

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| Schedule: | | Schedule | E.R. 2 of 2012 | 02/08/2012 |
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Remarks:

31 December 1999 was appointed as an additional general holiday under section 6(1) of this Ordinance (see L.N. 191 of 1999).

General Holidays

- (a) every Sunday;
- (b) the first day of January (or if that day is a Sunday, then the following day);
- (c) Lunar New Year's Day (or if that day is a Sunday, then the fourth day of Lunar New Year); (Amended 23 of 2011 s. 3)
- (d) the second day of Lunar New Year (or if that day is a Sunday, then the fourth day of Lunar New Year); (Amended 23 of 2011 s. 3)
- (e) the third day of Lunar New Year (or if that day is a Sunday, then the fourth day of Lunar New Year); (Amended 23 of 2011 s. 3)
- (f) Ching Ming Festival (or if that day is a Sunday, then the following day);
- (g) Good Friday;
- (h) the day following Good Friday;
- (i) Easter Monday;
- (j) Labour Day, being the first day of May (or if that day is a Sunday, then the following day);
- (k) the Birthday of the Buddha, being the eighth day of the fourth lunar month (or if that day is a Sunday, then the following day);
- (l) Tuen Ng Festival (or if that day is a Sunday, then the following day);
- (m) Hong Kong Special Administrative Region Establishment Day, being the first day of July (or if that day is a Sunday, then the following day);
- (n) National Day, being the first day of October (or if that day is a Sunday, then the following day);
- (o) the day following the Chinese Mid-Autumn Festival (or if that day is a Sunday, then the second day following that Festival) or such other day as the Chief Executive in Council may, by order in the Gazette, appoint in place of that day; (Amended 23 of 2011 s. 3)
- (p) Chung Yeung Festival (or if that day is a Sunday, then the following day) or such other day as the Chief Executive in Council may, by order in the Gazette, appoint in place of that day;
- (q) Christmas Day (or if that day is a Sunday, then the second weekday after Christmas Day);
- (r) the first weekday after Christmas Day.

(Replaced 35 of 1998 s. 4)