

**NORTHERN TERRITORY OF AUSTRALIA**

**PUBLIC HOLIDAYS ACT 1981**

As in force at 1 June 2023

**Table of provisions**

1	Short title .....	1
2	Commencement .....	1
3	Repeal .....	1
5	Public holidays.....	1
5A	Public holiday for the National Day of Mourning for Queen Elizabeth II .....	1
6	Additional public holidays .....	1
7	Alteration of public holidays.....	2
8	Appointed public holidays.....	2
9	Notice of appointed public holidays .....	2
10	Notice of appointed public holidays – less than 28 days .....	2
11	Regulations.....	3

**Schedule 1 Repealed Ordinances and Act**

**Schedule 2 Public holidays**

**ENDNOTES**



# NORTHERN TERRITORY OF AUSTRALIA

---

As in force at 1 June 2023

---

## PUBLIC HOLIDAYS ACT 1981

### An Act relating to public holidays

#### 1 Short title

This Act may be cited as the *Public Holidays Act 1981*.

#### 2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

#### 3 Repeal

The Ordinances and Act specified in Schedule 1 are repealed.

#### 5 Public holidays

Subject to section 7, the days or parts of days specified in Schedule 2 shall, in each year, be observed as public holidays in the Territory.

#### 5A Public holiday for the National Day of Mourning for Queen Elizabeth II

The day of 22 September 2022 is to be observed as a public holiday in the Territory.

#### 6 Additional public holidays

The Minister may, by notice in the *Gazette*, appoint a day or part of a day to be a public holiday in addition to the public holidays specified in Schedule 2 to be observed as such:

- (a) in the Territory or such part or parts of the Territory as is or are specified in the notice; and
- (b) by all or such section or sections of the community of the Territory as is or are specified in the notice.

---

**7 Alteration of public holidays**

The Minister may, by notice in the *Gazette*:

- (a) declare that a day or part of a day in a year that would, otherwise than by virtue of this Act, be observed as a public holiday shall not be so observed as a public holiday in that year; and
- (b) appoint another day or part of a day in that year to be observed as a public holiday in its stead.

**8 Appointed public holidays**

A day or part of a day appointed as a public holiday under section 6, and a day or part of a day appointed as a public holiday under section 7, shall each be observed as a public holiday in accordance with the terms of the notice, as the case requires.

**9 Notice of appointed public holidays**

Subject to section 10, a notice under section 6 or 7 must be published in the *Gazette* not less than 28 days before the public holiday appointed by the notice.

**10 Notice of appointed public holidays – less than 28 days**

- (1) Subsection (2) applies in relation to a day or part of a day if:
  - (a) the Australian Prime Minister and the Premier or Chief Minister of each State and Territory agree that the day or part of the day should be observed as a public holiday nationally; and
  - (b) as soon as practicable after the agreement mentioned in paragraph (a), the Chief Minister advises the Minister in writing to appoint the day or part of the day to be a public holiday; and
  - (c) the agreement mentioned in paragraph (a) is reached less than 28 days before the day or part of the day.
- (2) Despite section 9, a notice under section 6 appointing the day or part of the day to be a public holiday may be published in the *Gazette* less than 28 days before the day or part of the day.

---

**11 Regulations**

The Administrator may make regulations under this Act.

*Note for section 11*

*See section 65 of the Interpretation Act 1978.*

**Schedule 1 Repealed Ordinances and Act**

section 3

*Holidays Ordinance 1957 (No. 33 of 1957)*  
*Holidays Ordinance 1959 (No. 3 of 1959)*  
*Holidays Ordinance 1960 (No. 5 of 1961)*  
*Holidays Ordinance 1962 (No. 21 of 1962)*  
*Holidays Ordinance (No. 2) 1962 (No. 41 of 1962)*  
*Holidays Ordinance 1963 (No. 29 of 1963)*  
*Holidays Ordinance 1967 (No. 52 of 1967)*  
*Holidays Ordinance 1969 (No. 30 of 1970)*  
*Holidays Ordinance 1973 (No. 3 of 1973)*  
*Holidays Ordinance 1974 (No. 17 of 1974)*  
*Holidays Amendment Act 1980 (No. 9 of 1981)*

## **Schedule 2 Public holidays**

section 5

1 January (New Year's Day) and, if that day falls on a Saturday or Sunday, the following Monday

26 January (Australia Day) or, if that day falls on a Saturday or a Sunday, the following Monday

Good Friday

The Saturday following Good Friday

The Sunday following Good Friday

The Monday following Good Friday

25 April (Anzac Day) or, if that day falls on a Sunday, the following Monday

The first Monday in May (May Day)

The second Monday in June

The first Monday in August (Picnic Day)

24 December (Christmas Eve) from 7.00 pm to midnight

25 December (Christmas Day) and, if that day falls on a Saturday or Sunday, the following Monday

26 December (Boxing Day) and:

(a) if that day falls on a Saturday – the following Monday; or

(b) if that day falls on a Sunday or Monday – the following Tuesday

31 December (New Year's Eve) from 7.00 pm to midnight

---

**ENDNOTES**
**1 KEY**

Key to abbreviations

<b>amd = amended</b>	<b>od = order</b>
<b>app = appendix</b>	<b>om = omitted</b>
<b>bl = by-law</b>	<b>pt = Part</b>
<b>ch = Chapter</b>	<b>r = regulation/rule</b>
<b>cl = clause</b>	<b>rem = remainder</b>
<b>div = Division</b>	<b>renum = renumbered</b>
<b>exp = expires/expired</b>	<b>rep = repealed</b>
<b>f = forms</b>	<b>s = section</b>
<b>Gaz = Gazette</b>	<b>sch = Schedule</b>
<b>hdg = heading</b>	<b>sdiv = Subdivision</b>
<b>ins = inserted</b>	<b>SL = Subordinate Legislation</b>
<b>lt = long title</b>	<b>sub = substituted</b>
<b>nc = not commenced</b>	

**2 LIST OF LEGISLATION*****Public Holidays Act 1981 (Act No. 71, 1981)***

Assent date	18 September 1981
Commenced	11 December 1981 ( <i>Gaz G49</i> , 11 December 1981, p 2)

***Public Holidays Amendment Act 1982 (Act No. 25, 1982)***

Assent date	16 June 1982
Commenced	16 June 1982

***Public Holidays Amendment Act 1983 (Act No. 38, 1983)***

Assent date	3 October 1983
Commenced	3 October 1983

***Criminal Law (Regulatory Offences) Act 1983 (Act No. 68, 1983)***

Assent date	28 November 1983
Commenced	1 January 1984 (s 2, s 2 <i>Criminal Code Act 1983</i> (Act No. 47, 1983), <i>Gaz G46</i> , 18 November 1983, p 11 and <i>Gaz G8</i> , 26 February 1986, p 5)

***Statute Law Revision Act 1989 (Act No. 60, 1989)***

Assent date	2 October 1989
Commenced	2 October 1989

***Public Sector Employment and Management (Consequential Amendments) Act 1993 (Act No. 28, 1993)***

Assent date	30 June 1993
Commenced	1 July 1993 (s 2, s 2 <i>Public Sector Employment and Management Act 1993</i> (Act No. 11, 1993) and <i>Gaz S53</i> , 29 June 1993)

***Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)***

Assent date	19 April 1996
Commenced	s 7: 19 April 1996; rem: 1 July 1996 (s 2, s 2 <i>Sentencing Act 1995</i> (Act No. 39, 1995) and <i>Gaz S15</i> , 13 June 1996)



---

**Statute Law Revision Act (No. 2) 2001 (Act No. 62, 2001)**

Assent date 11 December 2001  
Commenced 11 December 2001

**Statute Law Revision Act (No. 2) 2004 (Act No. 54, 2004)**

Assent date 15 September 2004  
Commenced 27 October 2004 (*Gaz* G43, 27 October 2004, p 3)

**Penalties Amendment (Miscellaneous) Act 2013 (Act No. 23, 2013)**

Assent date 12 July 2013  
Commenced 28 August 2013 (*Gaz* G35, 28 August 2013, p 2)

**Statute Law Amendment (Directors' Liability) Act 2015 (Act No. 26, 2015)**

Assent date 18 September 2015  
Commenced 14 October 2015 (*Gaz* G41, 14 October 2015, p 3)

**Public Holidays Amendment Act 2016 (Act No. 33, 2016)**

Assent date 7 December 2016  
Commenced 7 December 2016

**Statute Law Revision Act 2018 (Act No. 10, 2018)**

Assent date 23 May 2018  
Commenced 20 June 2018 (*Gaz* S41, 20 June 2018)

**Public Holidays Amendment Act 2022 (Act No. 23, 2022)**

Assent date 31 October 2022  
Commenced 19 September 2022 (s 2)

**Public Holidays Amendment Act 2023 (Act No. 15, 2023)**

Assent date 31 May 2023  
Commenced 1 June 2023 (s 2)

### 3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: ss 1, 4 and 11.

### 4 LIST OF AMENDMENTS

s 4	amd No. 60, 1989, s 6; No. 62, 2001, s 15; No. 33, 2016, s 3 rep No. 15, 2023, s 4
s 5	amd No. 33, 2016, s 4
s 5A	ins No. 23, 2022, s 4
s 6	amd No. 33, 2016, s 5
s 7	amd No. 33, 2016, s 6
s 8	amd No. 33, 2016, s 7
s 9	amd No. 15, 2023, s 5
s 10	amd No. 33, 2016, s 8 sub No. 15, 2023, s 6
s 11	amd No. 25, 1982, s 2; No. 28, 1993, s 3; No. 54, 2004, s 7; No. 10, 2018, s 6 sub No. 15, 2023, s 6
ss 12 – 15	amd No. 54, 2004, s 7 rep No. 15, 2023, s 6

## ENDNOTES

---

- s 16            amd No. 17, 1996, s 6; No. 54, 2004, s 7; No. 23, 2013, s 9; No. 26, 2015,  
                  s 103  
                  rep No. 15, 2023, s 6
- s 16A           ins No. 68, 1983, s 122  
                  amd No. 26, 2015, s 104  
                  rep No. 15, 2023, s 6
- s 17            rep No. 15, 2023, s 6
- sch 2           amd No. 38, 1983, s 2; No. 33, 2016, s 9; No. 15, 2023, s 7