

PUBLIC HOLIDAYS AND FESTIVALS ACT

CHAPTER 19:05

Act

10 of 1872

Amended by

*9 of 1918

16 of 1939

10 of 1960

15 of 1962

19 of 1972

45 of 1979

186/1979

118/1980

147/1984

32/1996

58/1996

104/2002

*See Note on Transferred Provisions on page 2

Current Authorised Pages

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Transferred Provisions

Sections 67 and 68 of Ordinance 9 of 1918, [the Summary Offences Ordinance—Ch. 4. No. 17 (1950 Ed.)], have been incorporated in this Act as sections 5 and 6.

Note on Omissions

Subsidiary Legislation made under the following sections are omitted:

- A. Public Holidays Orders (made under section 4).
- B. Carnival Regulations (made under section 5).
- C. Carnival Period Proclamations (made under section 5).
- D. Public Festivals (Carnival) Orders (made under section 5).
- E. Public Holiday Proclamations and Notifications (made under section 6).

N.B. For references to the above Subsidiary Legislations, See the Current Edition of the Consolidated Acts and Subsidiary Legislation.

CHAPTER 19:05

PUBLIC HOLIDAYS AND FESTIVALS ACT

ARRANGEMENT OF SECTIONS

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1. Short title.

PUBLIC HOLIDAYS

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4. Power to appoint special public holiday and amend Schedule.

PUBLIC FESTIVALS

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CHAPTER 19:05

PUBLIC HOLIDAYS AND FESTIVALS ACT

An Act relating to Public Holidays and Festivals.

1950 Ed.
Ch. 42. No. 1.
10 of 1872.

Commencement.

[6TH JULY 1872]

Short title.

1. This Act may be cited as the Public Holidays and Festivals Act.

PUBLIC HOLIDAYS

Interpretation.
[45 of 1979].

2. In this Act, the expression “public holiday” means a close holiday in banks and public offices in Trinidad and Tobago.

Certain days to be public holidays.
[45 of 1979].
Schedule.

3. (1) Subject to this Act, the several days set out in the Schedule are public holidays in Trinidad and Tobago.

(2) Where a public holiday falls on a Sunday or where two public holidays fall on the same day, the next following day that (apart from this subsection) is not a public holiday shall be a public holiday.

Power to appoint special public holiday and amend Schedule.
[45 of 1979].
Schedule.

4. (1) The President may by Order appoint any day to be a public holiday.

(2) The President may by Order amend the Schedule.

(3) If it appears to the President that, in the special circumstances of any year, it is inexpedient that a day specified in the Schedule to this Act should be a public holiday, the President may by Order declare that that day shall not in that year be a public holiday and appoint another day in place of it; and the day appointed by the Order shall, in that year, be a public holiday under this Act instead of the day specified in the Schedule.

PUBLIC FESTIVALS

Declaration and regulation of public holidays.
[Ch. 4. No. 17.
(1950 Ed.)
s. 67
7 of 1954
45 of 1979].

*5. (1) For the purposes of this section, the President may, by Order, declare any day to be a day of Public Festival in Trinidad and Tobago and may specify areas in which and conditions subject to which such public festival may be celebrated.

*This section is section 67 of the Summary Offences Ordinance (Ch. 4 No. 17 (1950 Ed.— now Ch. 11:02) which has been transferred to this Act.

(2) The President may make Regulations for the conduct and management of public festivals or any particular public festival and for the proper behaviour of persons and the preservation of the peace at such festivals; and, without prejudice to the generality of this provision, Regulations made under this subsection may permit persons to celebrate such festivals in the streets and other public places with parades, processions, music and fireworks, and may permit them to throw specified substances at other persons, to appear masked or otherwise disguised and generally to celebrate the festivals in any manner that may be prescribed.

(3) Regulations under subsection (2) may prohibit any person from having with him in any public place during the celebration of a public festival any specified article which in the opinion of the President may be used for causing injury to the person.

(4) Regulations made under subsection (2) may provide a penalty for any contravention of such Regulations not exceeding a fine of one thousand dollars and imprisonment for six months.

(5) Any person who appears in public masked or otherwise disguised except during a public festival at which he is authorised to do so by Regulations under subsection (2) is liable to a fine of one thousand dollars and to imprisonment for six months.

(6) Any person who contravenes any regulation made under subsection (2) for which no penalty is expressly provided is liable to a fine of five hundred dollars and to imprisonment for three months.

(7) In the following subsections of this section the expression “specified festival” means Carnival or any other public festival specified for this purpose by Order of the President.

(8) If during a specified festival any person has with him in any public place any article which by virtue of Regulations made under subsection (2) he is prohibited from so having, any member of the Police Service may, if he considers it expedient to do so, without proceeding to arrest such person, seize and take away such article. All articles seized under this subsection shall be forfeited and shall be kept in safe custody by the Police until disposed of in such manner as the Minister may direct.

(9) If during a specified festival any person shall have with him in any public place any article which, in the opinion of a member of the Police Service, is likely to be used for causing injury to the person, such member of the Police Service, if he considers it in the interest of the safety of the public to do so, may, notwithstanding that such article does not fall within the class of articles specifically prohibited by Regulations made under subsection (2), seize and take away such article. All articles seized under this subsection shall be kept in safe custody by the Police, and if within a period of six months after the specified festival at which such articles have been seized any person establishes to the satisfaction of the Commissioner of Police a claim to any such article, the Commissioner of Police shall cause such article to be restored to such person. Nothing in this subsection shall authorise or be construed as authorising the restoration to any person of any offensive weapon within the meaning of the Prevention of Crime (Offensive Weapons) Act, but all such offensive weapons seized under this subsection, and all other articles so seized which are not claimed within the aforesaid period of six months shall be forfeited and shall be kept in safe custody by the Police until disposed of in such manner as the Minister may direct.

Ch. 11:09.

(10) Any person who refuses to deliver up any article which a member of the Police Service requires to be delivered up for seizure under subsection (8) or subsection (9), or obstructs any member of the Police Service when acting in pursuance of any provision of the said subsections, is liable to a fine of two hundred and forty dollars and to imprisonment for six months.

(11) In this section—

- (a) the expression “Police Service” shall be construed as including reference to the Supplemental Police and the Special Reserve Police established under the Supplemental Police Act and the Special Reserve Police Act, respectively;

Ch. 15:02.
Ch. 15:03.

(b) the expression “public place” includes any highway and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise.

(12) The provisions of subsections (3), (8), (9), (10) and (11) of this section shall be additional to, and not in derogation of, the provisions of the Prevention of Crime (Offensive Weapons) Act, and the validity of Regulations duly made under the authority of the said subsection (3) shall not be questioned by reason only that they are repugnant to the provisions of that Act. Ch. 11:09.

(13) A Justice of the Peace shall have jurisdiction to hear and determine any offence under this section.

***6.** Every person committing any offence under section 5 may be apprehended without warrant by any constable—

- (a) in whose view any such offence is committed; or
- (b) upon the complaint of any person upon whom or at whom any substance, other than a substance allowed by the Regulations, may have been thrown, whether in view or not of such constable.

Apprehension
of offenders.
*[Ch. 4. No. 17.
(1950 Ed.).
s. 68].

*This section is section 68 of the Summary Offences Ordinance (Ch. 4 No. 17 (1950 Ed.— now Ch. 11:02) which has been transferred to this Act.

Sections 3 and 4.

SCHEDULE

[10 of 1960

15 of 1962

19 of 1972

186/1979

118/1980

147/1984

32/1996

58/1996

104 of 2002].

New Year's Day

Spiritual Baptist Liberation Shouter Day—30th March

Good Friday

Easter Monday

Indian Arrival Day—30th May

Corpus Christi—first Thursday after Trinity Sunday

Labour Day—19th June

Emancipation Day—1st August

Independence Day—31st August

Republic Day—24th September

Christmas Day—25th December

Boxing Day—26th December

*Eid-ul-Fitr—date to be appointed

*Divali—date to be appointed

*In this Schedule, “date to be appointed” means date to be appointed by the President by Notification.

Note—Sundays are observed as Common Law Holidays.