

4 EDW. VII. No. 8, 1904. *Bank Holidays.*

APPROPRIATION ACTS.

See CONSTITUTION.

BANKS.

See also AGRICULTURAL BANK.

An Act to make provision for Bank Holidays and respecting Obligations to make Payments and do other Acts on such Holidays.

4 EDW. VII.
No. 8.
THE BANK
HOLIDAYS
ACT OF 1904.

[ASSENTED TO 22ND NOVEMBER, 1904.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Bank Holidays Act of 1904*," and shall commence and take effect on and from the first day of January, one thousand nine hundred and five.

Short title and commencement.

2. "*The Bank Holidays Act of 1877*"* is repealed.

Repeal of 41 Vic. No. 13.

3. In this Act—

The expression "bank holiday" means a bank holiday constituted by or in pursuance of this Act.

Interpretation.

The expression "the day next following" means the day next following a bank holiday (not being itself a bank holiday) on which a bill of exchange or promissory note may be lawfully noted or protested, or on which any obligation to make any payment or to do any act relating to banking transactions may be enforced.

4. The several days mentioned in the Schedule to this Act shall be kept as close holidays in all banks in the State of Queensland.

Bank holidays.
[Schedule.]

5. The Governor in Council may from time to time by proclamation in the *Gazette* appoint a special day or the afternoon of such day to be observed as a public holiday or part public holiday either throughout Queensland or in any part thereof or in any city, town, or district therein.

Special bank holidays.
[34 & 35 Vic.
c. 17, s. 4.]

Any day or afternoon of a day so appointed shall be kept as a close holiday in all banks within the locality mentioned in such proclamation, and shall be deemed to be a bank holiday for all the purposes of this Act.

* 41 Vic. No. 13, *supra*, page 51.

Day appointed for bank holiday may be altered. [34 & 35 Vic. c. 17, s. 5.]

6. The Governor in Council, from time to time, when it is made to appear to him in any special case that in any year it is inexpedient that a day by this Act appointed for a bank holiday should be a bank holiday, may declare, by proclamation in the *Gazette* published not less than one week before the day appointed for such holiday, that such day shall not in such year be a bank holiday, and may appoint such other day as to the Governor in Council may seem fit to be a bank holiday instead of such day.

Thereupon the day so appointed shall in such year be substituted for the day so appointed by this Act.

Bills due on bank holidays to be payable on following day. [34 & 35 Vic. c. 17, s. 1.]

7. All bills of exchange and promissory notes which are due and payable on a bank holiday shall be payable, and in case of non-payment may be noted and protested, on the day next following and not on such bank holiday.

Any such noting or protest shall be as valid as if made on the day on which the bill of exchange or promissory note was made due and payable.

As to notices of dishonour. [34 & 35 Vic. c. 17, s. 2.]

8. When the day on which any notice of dishonour of an unpaid bill of exchange or promissory note should be given is a bank holiday, such notice of dishonour shall be given on the day next following and not on such bank holiday.

Presentation for honour.

When the day on which a bill of exchange or promissory note should be presented or received for acceptance or payment, or accepted or forwarded to any referee, is a bank holiday, such bill of exchange or promissory note shall be presented or forwarded on the day next following.

As to payments on bank holiday. [34 & 35 Vic. c. 17, s. 3.]

9. No person shall be compellable to make any payment or to do any act relating to banking transactions upon a bank holiday which he would not be compellable to do or make on a Sunday, and the obligation to make such payment and to do such act shall apply to the day next following.

The making of such payment and doing such act on the day next following shall be equivalent to payment of the money or performance of the act on the holiday.

Banks and branches may be closed on certain afternoons.

10. Any bank, on giving the public notice herein-after mentioned, may close the bank, or any branch of the bank, to business on any day in the afternoon.

Public notice of such closing shall be given by the bank by advertisement published between the third and the fourteenth day before the day of such closing in at

1904.

Bank Holidays.

least one issue of some newspaper published or circulating in the neighbourhood of any bank or branch proposed to be so closed :

Provided that—

- (a) In all cases where it is proposed to close such bank or branch during the afternoon of one specified day in every week until further notice, it shall be sufficient to give public notice of such closing by advertisement, published as aforesaid, in one issue of such newspaper ;
- (b) In all cases where any branch has heretofore been closed during the afternoon of Saturday in every week, such closing may be continued without any permission or notice whatsoever.

On any day on which it is lawful under this section and section five of this Act to close any bank or branch as aforesaid, no time in the afternoon of that day shall in respect of any business at such bank or branch be a reasonable time within the meaning of "*The Bills of Exchange Act of 1884*,"* or shall be within banking or business hours within any law, practice, or custom relating to banks or bankers.

Effect of such closing.

SCHEDULE.

[Section 4.]

The first day of January	The first day of August
The twenty-sixth day of January	The second Monday in September
The seventeenth day of March	The Birthday of His Majesty or
Good Friday	His Successor
The day after Good Friday	The tenth day of December
Easter Monday	Christmas Day
The first day of May	The twenty-sixth day of December
The twenty-fourth day of May	

When any of the above days falls upon a Sunday, the next following Monday shall be a bank holiday ; and whenever the twenty-sixth day of December falls upon a Monday, the day following shall be a bank holiday.

When any of the following days, that is to say, the twenty-sixth day of January, the first day of May, the twenty-fourth day of May, the first day of August, the Birthday of His Majesty or His Successor, or the tenth day of December, falls on any day of the week other than Monday, that day shall not be a bank holiday, but the following Monday shall be a bank holiday in lieu thereof, unless otherwise proclaimed by notice in the *Gazette*.

* 48 Vic. No. 10, *supra*, page 726.

CLUBS, REGISTRATION.

See LIQUOR.