



*Assented: No. 251 '82  
No. 574 '93*

ANNO TRICESIMO SEPTIMO

# VICTORIÆ REGINÆ.

A.D. 1873.

## No. 19.

*An Act to provide for constituting certain days Bank Holidays, and to make provision respecting obligations to make Payments on such Holidays.*

[Assented to, 18th December, 1873.]

**W**HEREAS it is expedient to make provision for rendering certain days Bank Holidays, and for enabling Bank Holidays to be appointed by Proclamation of the Governor, and to amend the Law as to Bills of Exchange and Promissory Notes payable on Sunday, Christmas Day, and Good Friday—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

Preamble.

1. After the passing of this Act the several days in the Schedule to this Act mentioned (and which days are in this Act hereinafter referred to as Bank Holidays) shall be kept as close holidays in all Banks, and all bills of exchange and promissory notes which are due and payable on any such Bank Holiday shall be payable, and in case of non-payment may be noted and protested on the next following day, and not on such Bank Holiday, and any such noting or protest shall be as valid as if made on the day on which the bill or note was made due and payable, and for all the purposes of this Act the day next following a Bank Holiday shall mean the next following day on which a bill of exchange may be lawfully noted or protested: Provided that when any of the several days mentioned in the said Schedule, other than the first therein named, shall fall upon Sunday, the next following Monday shall be a Bank Holiday.

Bills due on Bank Holidays to be payable on the following day.

*The Bank Holidays Act.—1873.*

Provision as to notice  
of dishonor.

2. When the day on which any notice of dishonor of an unpaid bill of exchange or promissory note should be given, or when the day on which a bill of exchange or promissory note should be presented or received for acceptance, or accepted, or forwarded to any referee or referees, is a bank holiday, such notice of dishonor shall be given, and such bill of exchange or promissory note shall be presented, received, accepted, or forwarded, on the day next following such bank holiday.

As to any payments  
on bank holidays.

3. No person shall be compellable to make any payment, or to do any act, upon such bank holidays, which he would not be compellable to do or make upon Sunday, Christmas Day, or Good Friday, and the obligation to make such payment, and do such act, shall apply to the day following such bank holiday, and the making of such payment, and the doing such act on such following day, shall be equivalent to payment of the money or performance of the act on such holiday.

Appointments of  
special bank holidays  
by Proclamation of  
Governor.

No. 571d '93, 8. 2

4. The Governor in Council may, from time to time, as he may think fit, by Proclamation, appoint a special day to be observed as a bank holiday throughout South Australia, and any day so appointed shall be kept as a close holiday in all banks, and shall, as regards bills of exchange and promissory notes, be deemed to be a bank holiday for all the purposes of this Act.

Day appointed for  
bank holiday may be  
altered by Governor  
in Council.

5. The Governor, in like manner, when it is made to appear to the Governor in Council in any special cases, that in any year it is expedient that a day by this Act appointed for a bank holiday should not be a bank holiday, may, by Proclamation, from time to time, declare that such day shall not, in such year, be a bank holiday, and may, from time to time, appoint such other day, as to the Governor in Council may seem fit, to be a bank holiday instead of such day, and thereupon such other day shall in such year be substituted for the day appointed by this Act.

Courts to take judicial  
notice of holidays.

6. All Courts, Judges, and persons acting judicially shall take judicial notice of the holidays authorized by this Act.

Short title.

7. This Act may be cited for all purposes as "Bank Holidays Act, 1873."

In the name and on behalf of Her Majesty I hereby assent to  
this Act.

A. MUSGRAVE, Governor.

---

*The Bank Holidays Act.—1873.*

---

SCHEDULE.

Sunday.

The First day of January.

Good Friday.

Easter Monday.

The Birthday of Her Majesty, or Her successor for the time being.

The Anniversary of the Accession of Her Majesty, or Her successor.

The Birthday of His Royal Highness the present Duke of Edinburgh.

The Birthday of the Heir Apparent.

The Twenty-fifth day of December.

The Twenty-eighth day of December.

*not now, it is 1882*  
*25/12/82*