

P60292/1 (L-GHA)
GHANA. LAWS, STATUTES, ETC. -
DECREES-LAWS OF THE PROVISIONAL
HOLIDAYS LAW, 1989

P.N.D.C.L. 220*

In pursuance of the Provisional National Defence Council (Establishment) Proclamation, 1981 this Law is hereby made—

1. (1) The days specified in the Schedule to this Law shall be observed as public holidays every year throughout Ghana.

Public holidays.

(2) Where a day specified in the Schedule falls on a non-working day the next following working day or such other day as may be appointed under section 3 shall be a public holiday instead of that day.

2. In addition to the public holidays provided under section 1 of this Law, the Provisional National Defence Council may by Executive Instrument declare any other day to be a public holiday.

Additional holidays.

3. Where the Council is satisfied that it would be inexpedient for a day provided in section 1 to be observed as a public holiday, the Council may by Executive Instrument declare any other day to be public holiday instead of that day.

Substituted holidays.

4. Subject to the provisions of sections 1 and 3 and subsection (2) of this Section no person shall open for sale or trade any shop or engage in any business whatsoever on public holidays.

Prohibition of business on public holidays.

(2) Subject to the provisions of any enactment for the time being in force, subsection (1) of this Section shall not apply to the following:—

- (a) food or grocery shops;
- (b) drug or pharmacy shops;
- (c) licensed restaurants or hotels;
- (d) local markets for sale of food or foodstuffs;
- (e) premises licensed for the sale of spirit, wine, and beer; under the Liquor Licensing Act, 1970 (Act 331);
- (f) the running of any essential public service specified in subsection (3) of this section.

(3) For the purposes of paragraph (f) of subsection (2) of this Section "essential public service" means any of the following:

- (a) water services;
- (b) electricity services;
- (c) health and hospital services;
- (d) sanitary services;
- (e) air traffic and Civil Aviation control services;
- (f) Meteorological services;
- (g) fire services;

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- (h) air transport service;
- (i) supply and distribution of fuel, petrol, power and light;
- (j) telecommunications services;
- (k) public transport services.

Offences and penalties.

5. (1) Any person who contravenes section 4 of this Law shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ₦10,000.00 or to imprisonment for a term not exceeding 3 months or to both.

(2) Where an offence under section 4 of this Law is committed by a body of persons—

(a) in the case of a body corporate every director or officer of that body corporate shall also be deemed to be guilty of that offence;

(b) in the case of a partnership or firm every partner of the partnership or firm shall also be deemed to be guilty of that offence.

(3) No person shall be deemed to be guilty of an offence under subsection (2) of this section if he proves that the act in respect of which he is charged was committed by some other person without his consent or connivance and that he exercised all diligence to prevent the commission of that act having regard to all the circumstances.

Exemptions.

6. Where the Council is satisfied that it is in the public interest to do so, it may by Executive Instrument exempt any class of business or by writing any particular business from the provisions of section 4 of this Law.

Interpretation.

7. In this Law—

“Council” means the Provisional National Defence Council;

“shop” includes store or any premises for the sale of goods.

Repeals.

8. The public Holidays Decree, 1974 (N.R.C.D. 262) is hereby repealed.

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SCHEDULE

New Year's Day (1st January)
Independence Day (6th March)
Good Friday
Easter Monday
1st May
4th June
Republic Day (1st July)
Christmas Day (25th December)
Boxing Day (26th December)
31st December.

Made this 13th day of June, 1989.

FLT.-LT. JERRY JOHN RAWLINGS
Chairman of the Provisional National Defence Council

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