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Public Holidays Act
Chapter 378
Laws of the Federation of Nigeria

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Public Holidays Act
Chapter 378
Laws of the Federation of Nigeria

An Act to repeal all the State Laws on public holidays and to make provisions for the whole of the Federation for public holidays and other related matters.

1st January 1979

- 1.** The days mentioned in the Schedule to this Act shall be kept as public holidays throughout Nigeria.
- 2.** (1) In addition to days mentioned in the Schedule to this Act, the President may by public notice appoint a special day to be kept as a public holiday either throughout Nigeria or in any part thereof, and any day so appointed shall be kept as a public holiday.
- (2) Subject to section 1 of this Act and subsection (1) of this section, the Governor of a State may by public notice appoint a special day to be kept as a public holiday in the State concerned or in any part thereof, and any day so appointed shall be kept as a public holiday.
- (3) In this section '*public holiday*' includes part of a day and any day declared as a work-free day.
- 3.** The Minister for Internal Affairs (hereinafter referred to as "*the Minister*") may by public notice, when it appears to him in any special case that in any year it is inexpedient that a day appointed by section 1 of this Act to be kept as a public holiday should be kept as a public holiday, declare that such day shall not be kept as a public holiday and may appoint such other day as he may think fit to be kept as a public holiday instead of such day, and thereupon the day appointed shall be submitted for the day in such year appointed by this Act.
- Provided that where a day declared to be kept as a public holiday for the celebration of a religious festival is found not to be the actual day on which the adherents of the religion concerned perform the religious festival, it shall be lawful for such adherents to take time off work on that actual day for the celebration of such festival.
- 4.** No person shall be compellable to do any act on a day appointed by or under the provisions of this Act to be kept as a public holiday which he would not be compellable to do on a Sunday.
- 5.** Notwithstanding any other provision of this Act but subject to section 3 thereof
- (a) if two days appointed as public holidays fall successively on a Friday and a Saturday, only the Friday concerned and no additional day in lieu of that Saturday shall be kept as a public holiday.
- (b) if any day appointed to be a public holiday falls on a Saturday or a Sunday, only the Saturday or Sunday concerned and no other day in lieu of either of such days shall be kept as a public holiday.
- (c) if two days appointed as public holidays fall successively on a Saturday and Sunday, only the Saturday and Sunday concerned and no additional day or days in lieu of the Saturday and Sunday shall be kept as public holidays; and
- (d) if two days appointed as public holidays fall successively on a Sunday and a Monday, only the Monday concerned and no additional day in lieu of that Sunday shall be kept as a public holiday.
- 6.** (1) Notwithstanding any of the foregoing provisions of this Act, the Director-General of a ministry or the head of any

Government Department may, unless otherwise ordered by the appropriate authority, if the interest of the public service or the convenience of the public demand it, require all or any of the persons serving in his Ministry or Department, as the case may be, to perform on a Saturday, Sunday or public holiday such of their duties as he may deem necessary.

(2) In this section, the "*appropriate authority*" means

(a) with respect to any Ministry or Department of the Government of the Federation, the Minister of the Internal Affairs, and

(b) with respect to any Ministry or Department of the Government of a State, the State Commissioner charged with responsibility for matters relating to public holidays.

(3) In this section, references to Department include references to any Court or tribunal set up pursuant to any written law or any other public institution the emoluments of whose employees are paid out of the Consolidated Revenue Fund of the Federation or of a State or any other public fund of the Federation or of a state and references to members of the armed forces of the Federation and the Nigeria Police Force.

7. (1) This Act may be cited as the Public Holidays Act.

(2) It is hereby declared that notwithstanding the provisions of any other enactment or law, any day appointed as a public holiday by or on the direction of the Minister, during the period commencing from 1st September, 1976 and ending immediately before the coming into operation of this Act shall be deemed to have been validly so appointed.

Schedule

1. New Year's Day
 2. Good Friday
 3. Easter Monday
 4. Workers' Day (1st May).
 5. National Day (1st October).
 6. Christmas Day
 7. Such day as the Minister may declare to be a public holiday in celebration of the Muslim festival of Id el Fitr.
 8. Such day as the Minister may declare to be a public holiday in celebration of the Muslim festival of Id el Kabir.
 9. Such day as the Minister may declare to be a public holiday in celebration of the birthday of the Prophet Muhammed (Id el Maulud).
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