

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY
COMMITTEE *FOR* ECONOMIC DEVELOPMENT
PUBLIC HOLIDAYS IN 2022 AND BEYOND

The States are asked to decide:-

1. Whether, after consideration of the Policy Letter of the Committee *for* Economic Development entitled "Public Holidays in 2022 and Beyond", dated 2nd September, 2021, they are of the opinion:
 - a) To approve that Thursday 2nd June 2022 shall be a public holiday in place of Monday 30th May 2022,
 - b) To approve an additional public holiday on Friday 3rd June 2022,
 - c) To approve the retention of a public holiday on the 9th May, Liberation Day, each year even when 9th May falls on a Saturday or Sunday,
 - d) To approve that the Committee *for* Economic Development shall have authority by regulations to make future temporary changes to public holidays, as set out in paragraph 5 of the Policy Letter.
 - e) To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

The above Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

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The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

2nd September, 2021

Dear Sir

1 Executive Summary

- 1.1 The Committee *for* Economic Development is seeking States approval for changes in three areas to do with: creating a holiday in 2022 to celebrate Her Majesty The Queen's Platinum Jubilee; confirming on which day Liberation Day should be celebrated in future years; and the process for approving any future changes to public holidays.
- 1.2 The first proposal includes a change to the late May 2022 public holiday to designate Thursday 2nd June in place of 30th May (so moving the late May public holiday) as well as creating an additional public holiday on Friday 3rd June to celebrate Her Majesty The Queen's Platinum Jubilee. This will see a four-day weekend which will provide the opportunity for the public to celebrate the first British monarch to reach such a milestone. This proposed change also enables Guernsey to align itself to the United Kingdom (UK) which announced plans some months ago to mark The Queen's 70th Anniversary as Monarch.
- 1.3 As part of the consultation exercise undertaken with Guernsey businesses, Parish Officials and States Committees, the Committee *for* Economic Development also asked for views on whether the public holiday for Liberation Day should (as at present) remain on 9th May on those occasions when it falls on a Saturday or Sunday or whether the following Monday should be designated as a substitute public holiday for Liberation Day. The unanimous view was that 9th May is a significant date for Islanders and should not be moved. This does not prevent businesses making a decision as to whether to offer their staff time off in lieu for staff who normally work Monday to Friday. The Committee *for* Economic Development is, therefore,

proposing that going forward the Liberation Day public holiday should always remain on 9th May, even when this date falls on a Saturday or Sunday.

- 1.4 Finally, the States is also being asked to decide whether it wishes to continue to debate and approve any future changes to public holidays or whether it is minded to delegate that responsibility to the Committee *for* Economic Development. The Committee's intention would be that on the rare occasions when changes to public holidays are needed, a consultation exercise will continue to be undertaken so that the views of stakeholders are taken into account, but the final decision would then rest at Committee level rather than the full States of Deliberation, and necessary legislation will be made by way of regulations of the Committee subject only to the ability of the States of Deliberation to annul the regulations when laid before the States.

2 Her Majesty The Queen's Platinum Jubilee – June 2022

- 2.1 Earlier this year the UK Culture Secretary announced that, in 2022, for that year only, the late May Bank Holiday (Spring Bank Holiday) would be moved to Thursday 2nd June and an additional Public Holiday on Friday 3rd June would be created in order to make a four-day weekend to celebrate Her Majesty The Queen's Platinum Jubilee. This will be the first time any British monarch has reached this historic milestone.
- 2.2 As the Island of Guernsey determines dates for its own public holidays, the States needs to decide whether to follow suit and align with the UK to allow a four-day weekend to enable Islanders to join the extended celebrations of The Queen's Platinum Jubilee.
- 2.3 As a general principle, the Committee *for* Economic Development considers that changes to public holidays should only be made in exceptional circumstances as there is an impact on business costs and this needs to be taken into consideration before recommending any changes. It also appreciates that changes to public holidays may cause some inconvenience for education, travel or family occasions. The Policy & Resources Committee has advised that the financial implications to the States of an additional public holiday has been estimated to be £600,000 in staff costs.
- 2.4 The UK has announced plans for extensive celebrations and the Committee considers that it would be fitting for Guernsey, a Crown Dependency with a special relationship with The Queen, to also plan celebrations to mark this historic event. The Committee is aware that discussions are already taking place within States Committees and Government House on how Guernsey might celebrate.
- 2.5 With this in mind, the Committee has resolved to recommend to the States that the public holiday at the end of May 2022 is changed to designate Thursday 2nd June in place of 30th May as well as creating an additional public holiday on Friday 3rd June.

- 2.6 It considers that this will enable a long weekend of commemorations whilst minimising costs and disruption to businesses.

3 Liberation Day

- 3.1 Every few years, Liberation Day falls on a Saturday or Sunday and has, on some very few occasions, been moved to coincide with UK plans or a special anniversary.
- 3.2 On some previous occasions when Liberation Day has occurred on a Saturday or a Sunday, the view had been expressed that the Monday following Liberation Day should be specified as a public holiday. This in effect acts as substitute public holiday for 9th May. In 2010, the States of Deliberation moved the public holiday for Liberation Day to Monday 10th May to mark the 65th anniversary but five years later kept Saturday 9th May as a public holiday to mark the 70th anniversary.
- 3.3 The States of Deliberation was last asked to approve a change to public holidays in May 2019. This involved moving the early May 2020 public holiday to 8th May in order to align with the UK change in public holidays to mark the 75th anniversary of Victory in Europe (VE) Day (celebrated on 8th May, the day before Liberation Day) and to provide Guernsey with the opportunity to combine the celebrations for VE day with the 75th anniversary of Guernsey's Liberation Day by creating a long weekend.
- 3.4 Consultation undertaken at the time indicated that the majority view was to keep Liberation Day to 9th May regardless of which day of the week it fell on to retain the significance of the day. The responsibility would then lie with individual businesses to decide whether to offer their employees a day off in lieu at a later date.
- 3.5 The Committee feels that this might be an opportune time to make a decision on future Liberation Days that fall on weekend days and does not propose any alteration to the present position: the public holiday for Liberation Day remains on 9th May and is not moved to the previous Friday or following Monday.

4 Consultation

- 4.1 Earlier this year, the Committee undertook a comprehensive consultation and engagement exercise with representatives of business, employer groups, Parish Officials and States Committees to establish their views on an additional public holiday in 2022 and maintaining the public holiday for 9th May as Liberation Day on that day, even when it falls on the weekend.
- 4.2 The Committee received a good response from business and other organisations and the majority view was to align with the UK and move the May public holiday to Thursday 2nd June and create an additional public holiday on Friday 3rd June to make a four-day weekend so as to celebrate Her Majesty The Queen's Platinum Jubilee.

- 4.3 The proposal to designate the public holiday for Liberation Day as 9th May whether it falls on a weekend, was met with a unanimous view to keep the 9th May as the public holiday whatever day of the week it falls on. This is very much in line with the view held by business groups in 2019 where the point was made, quite strongly, that taking away the public holiday on the actual date itself would reduce the significance of the day.

5 Delegation of Authority

- 5.1 The Public Holidays Ordinance, 1994, is made under an enabling power in the Bills of Exchange (Guernsey) Law, 1958 under which the Committee *for* Economic Development has functions. The rationale for this is that, in addition to the customary public holidays such as Christmas and Easter, bank holidays are holidays when banks and many other businesses are closed.
- 5.2 Any proposed amendments to the Public Holidays Ordinance, 1994, even temporary ones for one year only, must be set out in a policy letter and approved by the States of Deliberation before being incorporated into an amending Ordinance and then approved by the States before coming into effect.
- 5.3 This policy letter asks Members whether they wish to continue to debate temporary changes or additions to public holidays in this way or whether they would be minded to delegate authority to make such changes to the Committee *for* Economic Development.
- 5.4 This could be achieved by an amendment to the 1994 Ordinance which would provide for temporary variations to be made by regulations of the Committee subject only to potential annulment by the States when the regulations are laid.
- 5.5 It is considered that this will enable a much quicker process to be undertaken on the rare occasions when public holidays need to be changed. There could be occasions in the future where amendments to public holidays may need to be made quickly. In addition, the Committee considers that debate of these matters by the States is not necessarily a good use of States time, and that this should be delegated to a States Committee with the appropriate mandate.

6 Compliance with Rule 4

- 6.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.
- 6.2 In accordance with Rule 4(1), the Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications.

- 6.3 In accordance with Rule 4(4) of the Rules of Procedure of the States of Deliberation and their Committees, it is confirmed that the propositions above have the unanimous support of the Committee.
- 6.4 In accordance with Rule 4(5), the Propositions related to the duties of the Committee in the Bills of Exchange (Guernsey) Law, 1958 under which the Committee *for* Economic Development has functions.
- 6.5 Also in accordance with Rule 4(5), the Committee consulted with States Committees, Parish Officials, representatives of business and employer groups.

Yours faithfully

N R Inder
President

S J Falla
Vice-President

A Kazantseva-Miller
N G Moakes
S P J Vermeulen

A Niles
A Mancini
Non-States Members