ST ANDREW'S DAY BANK HOLIDAY (SCOTLAND) ACT 2007

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes have been prepared by the Non-Executive Bills Unit on behalf of Dennis Canavan MSP. They have been prepared in order to assist the reader of the Act. They do not form part of the Act and have not been endorsed by the Parliament.

2. The Notes should be read in conjunction with the Act. They are not, and are not meant to be, a comprehensive description of the Act. So where a section or schedule, or a part of a section or schedule, does not seem to require any explanation or comment, none is given.

SUMMARY AND BACKGROUND TO THE ACT

3. The Act establishes a bank holiday to mark St Andrew's Day.

4. The Act does this by amendment of paragraph 2 of Schedule 1 to the Banking and Financial Dealings Act 1971 (c.80) – which is the part of the 1971 Act that specifies bank holidays in Scotland – in order to insert an additional day.

5. The 1971 Act sets out those days that are bank holidays in England and Wales, Scotland and Northern Ireland. It does not require banks (or any other employer) to close on bank holidays. It was brought into place to relieve people of obligations to make payments on such days in the same way that they are not required to do on Christmas Day or Good Friday; and to give power by order to suspend financial and other dealings on specified days, being bank holidays and Saturdays when traditionally the banks would be closed.

6. The 1971 Act does not give statutory rights for staff who work on these days to extra pay or time off on bank holidays, that being a matter of contract or agreement between employer and employee.

7. The bank holidays for Scotland are now:

- New Year's Day (or in lieu of 1 Jan, if a Saturday or Sunday)
- 2 Jan (or in lieu of 2 Jan, if a Saturday or Sunday)
- Good Friday
- Early May Bank Holiday
- Spring Bank Holiday
- Summer Bank Holiday
- St Andrew's Day (or in lieu of 30 Nov, if a Saturday or Sunday)
- Christmas Day (or in lieu of 25 Dec, if a Sunday)
- Boxing Day (or in lieu of 26 Dec, if a Sunday)

COMMENTARY ON SECTIONS

Section 1

8. Section 1 amends paragraph 2 of the Schedule to the 1971 Act and stipulates that the St Andrew's Day bank holiday is to apply on St Andrew's Day itself (30 November) unless that date falls on either a Saturday or a Sunday. For those years in which St Andrew's Day does fall at the weekend then the bank holiday will be the immediately following Monday. Thereby if 30 November falls on the Saturday then the bank holiday applies on Monday 2 December, or if 30 November falls on the Sunday then the bank holiday applies on Monday 1 December.

PARLIAMENTARY HISTORY

The following table sets out, for each Stage of the proceedings in the Scottish Parliament for this Act, the dates on which the proceedings at the Stage took place, the references to the Official Report of those proceedings and the dates on which the Committee Reports and other papers relating to the Act were published, and the references to those Reports and other papers.

Proceedings and Reports	**Reference**
Introduction	
19 May 2005	Act as introduced (SP Act 41)
Stage 1	
(a) Enterprise & Culture Committee	
14th Meeting, 2005	14 June 2005
17th Meeting, 2005	8 September 2005
18th Meeting, 2005	13 September 2005
19th Meeting, 2005	20 September 2005
20th Meeting, 2005	27 September 2005
22nd Meeting, 2005	8 November 2005
26th Meeting, 2005	6 December 2005
2nd Meeting, 2006	24 January 2006
9th Meeting, 2006	28 March 2006
16th Meeting, 2006	6 June 2006
19th Meeting, 2006	5 September 2006
20th Meeting, 2006	12 September 2006
21st Meeting, 2006	19 September 2006
9th Report 2005	29 September 2005
15th Report 2006	21 September 2006
(a) Finance Committee	
18th Meeting, 2005	8 September 2005, Col 2747– 2754 & Minutes FI/S2/05/18/M

	Minutes FI/S2/05/18/M
Report	21 September 2005
(b) Consideration by the Parliament	
6 October 2005	Cols 19872– 19903
28 September 2006	Cols 28060– 28089
Stage 2	
26th Meeting 2006 (Session 2)	7 November 2006, Cols 3455–3456 & Minutes EC/S2/06/26/M
Stage 3	
Consideration by the Parliament	
Stage 3 Debate	29 November 2006, Cols 29767– 29789
Royal Assent	
15 January 2007	St Andrew's Day Bank Holiday (Scotland) Act 2007 (asp 2)

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