

Canterbury Earthquake Commemoration Day Bill

Government Bill

Explanatory note

General policy statement

This Bill provides for 18 March 2011 to be a day of commemoration in order to commemorate the devastating consequences of the Canterbury earthquake and, in particular, the aftershock on 22 February 2011 at 12.51 pm. This day is to be known as Canterbury Earthquake Commemoration Day and is to be observed in those parts of Canterbury that observe Christchurch Show Day as Canterbury Anniversary Day for the purposes of the Holidays Act 2003. Canterbury Earthquake Commemoration Day is to be treated as a one-off public holiday for the purposes of the Holidays Act 2003 and as a day to which section 65C(1) of the Education Act 1989 applies (which relates to the closure of schools on certain days).

Clause by clause analysis

Clause 1 states the Title of the Bill.

Clause 2 provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

Part 1

Preliminary provisions

Clause 3 states the purpose of the Bill. The purpose of the Bill is to provide for 18 March 2011 to be a day of commemoration in order to commemorate the devastating consequences of the Canterbury earthquake and, in particular, the aftershock that occurred on 22 February 2011 at 12.51 pm.

Clause 4 defines certain terms.

Clause 5 provides that the Bill applies to the Crown to the same extent that the Holidays Act 2003 applies to the Crown.

Clause 6 provides that the Bill expires with the close of 18 March 2011.

Part 2

Canterbury Earthquake Commemoration Day

Clause 7 provides for 18 March 2011 to be observed as a day of commemoration in order to commemorate the Canterbury earthquake and, in particular, the aftershock on 22 February 2011 at 12.51 pm. The day is to be known as Canterbury Earthquake Commemoration Day and is to be observed in those parts of Canterbury that observe Christchurch Show Day as Canterbury Anniversary Day in accordance with the Holidays Act 2003.

Clause 8 provides that Canterbury Earthquake Commemoration Day is to be treated as—

- a public holiday for the purposes of the Holidays Act 2003 and that the Holidays Act 2003 applies, with any necessary modifications, to the observance of that day; and
- a day to which section 65C(1) of the Education Act 1989 applies (which relates to the closure of schools on certain days).

Clause 9 provides that, unless the context otherwise requires, a reference to “anniversary day” or to “the day observed as the anniversary of the province” in any enactment, agreement, deed, notice, or other document must be read as if it included Canterbury Earthquake Commemoration Day.

Clause 10 is a transitional and savings provision, which provides that an action taken before the commencement of the Bill in order to

comply with a provision in any enactment, agreement, deed, notice, or other document that requires that action to be taken within or by a specified number of working days or business days is valid to the same extent as if the Bill had not been passed.

Hon Kate Wilkinson

Canterbury Earthquake Commemoration Day Bill

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Canterbury Earthquake Commemoration Day Act **2011**.

2 Commencement

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This Act comes into force on the day after the date on which it receives the Royal assent.

**Part 1
Preliminary provisions**

3 Purpose

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The purpose of this Act is to provide for—

- (a) a day of commemoration in respect of the devastating consequences of the Canterbury earthquake and, in particular, the aftershock on 22 February 2011 at 12.51 pm; and
- (b) the commemoration day to be observed as a public holiday in those parts of Canterbury that observe Christchurch Show Day as Canterbury Anniversary Day in accordance with the Holidays Act 2003.

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4 Interpretation

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In this Act, unless the context otherwise requires,—

Canterbury earthquake has the meaning given by section 4(1) of the Canterbury Earthquake Response and Recovery Act 2010

Christchurch Show Day means the day—

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- (a) observed in northern and central Canterbury as Canterbury Anniversary Day in accordance with section 44(1)(k) of the Holidays Act 2003; and
- (b) commonly known as Christchurch Show Day

public holiday has the meaning given by section 5(1) of the Holidays Act 2003.

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5 Application

This Act applies to the Crown to the same extent that the Holidays Act 2003 applies to the Crown.

6 Expiry

This Act expires with the close of 18 March 2011. 5

Part 2
Canterbury Earthquake Commemoration
Day

7 Observance of Canterbury Earthquake Commemoration Day 10

(1) In commemoration of the devastating consequences of the Canterbury earthquake and, in particular, the aftershock on 22 February 2011 at 12.51 pm, 18 March 2011 is to be observed as a day of commemoration.

(2) The day of commemoration is to be— 15
(a) known as Canterbury Earthquake Commemoration Day; and
(b) observed in those parts of Canterbury that observe Christchurch Show Day.

8 Canterbury Earthquake Commemoration Day to be public holiday 20

(1) Canterbury Earthquake Commemoration Day is to be treated as—

(a) a public holiday for the purposes of the Holidays Act 2003, and that Act applies, with any necessary modifications, to the observance of that day; and 25
(b) a day to which section 65C(1) of the Education Act 1989 applies.

(2) To avoid doubt, Canterbury Earthquake Commemoration Day is to be observed in addition to the days specified in section 44(1) of the Holidays Act 2003. 30

9 Canterbury Earthquake Commemoration Day to be treated as if it were anniversary day

Unless the context otherwise requires, a reference to anniversary day or the day observed as the anniversary of the province in any enactment, agreement, deed, notice, or other document must be read as if it included Canterbury Earthquake Commemoration Day. 5

Transitional and savings provision

10 Transitional and savings provision

- (1) This section applies to an action (for example, the giving of a notice or the filing of a document) taken— 10
- (a) before the commencement of this Act; and
 - (b) in order to comply with a provision in any enactment, agreement, deed, notice, or other document that requires the action to be taken within or by a specified number of working days or business days. 15
- (2) Despite **section 9**,—
- (a) Canterbury Earthquake Commemoration Day is not to be treated as an anniversary day for the purposes of calculating the number of specified working days or business days within or by which that action must be taken; and 20
 - (b) that action is to be treated as valid to the same extent as if this Act had not been passed.
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