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FEDERAL GOVERNMENT GAZETTE

WEEKLY HOLIDAYS RULES 1951

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LAWS OF MALAYSIA
WEEKLY HOLIDAYS ACT 1950
[ACT 220]
WEEKLY HOLIDAYS RULES 1951
(Made under section 14)
(Revised—2023)

*Revised by the Commissioner of Law Revision under
section 13 of the Revision of Laws Act 1968 [Act 1]*

Revised up to	16 January 2023
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Made on 14 August 1951 as L.N. 458/1951

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ARRANGEMENT OF RULES

Rule

1. Citation
2. Notice under subsections 3(2), 5(4) and 7(2) of the Act
3. Notice under subsection 3(4) of the Act
4. Application for substitution and alteration of holiday
5. Record of whole day holiday
6. Duty of proprietor of shop where more than one business is carried on

SCHEDULE

LAWS OF MALAYSIA
WEEKLY HOLIDAYS ACT 1950
[ACT 220]
WEEKLY HOLIDAYS RULES 1951
(Made under section 14)
(Revised—2023)

[20 September 1951; L.N. 577/1951]

Citation

1. These rules may be cited as the **Weekly Holidays Rules 1951**.

Notice under subsections 3(2), 5(4) and 7(2) of the Act

2. (1) The notice referred to in subsections 3(2), 5(4) and 7(2) of the Act shall be in Form A as specified in the Schedule.

(2) The proprietor or manager of any shop affected by subsections 3(1), 5(1) and 7(1) of the Act shall send a true copy of every such notice and, where any alteration in such notice becomes necessary, a true amended copy of such notice to the nearest Labour Office—

- (a) in the case of a shop affected by subsections 3(1) and 7(1) of the Act, within two weeks of the commencement of any trade or business in such shop; and
- (b) in the case of a shop affected by subsection 5(1) of the Act, within thirty days of the date of publication of a notification in the *Gazette* under subsection 5(1) of the Act or within two weeks of the commencement of any trade or business in such shop, whichever is the later.

(3) Any alteration to a notice in Form A other than as referred to in subrules 4(1) and (2), shall be notified in writing to the nearest Labour Office not later than two weeks before such alteration becomes effective.

Notice under subsection 3(4) of the Act

3. (1) The notice referred to in subsection 3(4) of the Act shall be in Form B as specified in the Schedule.

(2) The proprietor of any unassisted shop shall send a true copy of every notice referred to in subrule (1) or, where any alteration in such notice becomes necessary, a true amended copy of the notice, to the nearest Labour Office within the State in which the shop is situated, within two weeks of the commencement of any trade or business in such shop.

Application for substitution and alteration of holiday

4. (1) An application for the substitution of some other day in any particular week for Friday or Sunday under the proviso (b) to subsection 3(1) of the Act may be made—

(a) in person at the nearest Labour Office not later than noon on Friday in the week immediately preceding the week in respect of which the application is made; or

(b) in writing so as to reach the nearest Labour Office not later than noon on Wednesday in the week immediately preceding the week in respect of which the application is made, and such written application shall explain the grounds for substituting such other day.

(2) Where the proprietor or manager of a shop who has chosen Friday or Sunday as the day on which the shop is to remain entirely closed under subsection 3(1) of the Act intends to alter such day to Sunday or Friday, as the case may be, the proprietor or manager shall, not less than seven days before the alteration becomes effective—

- (a) inform his employees by posting a notice in the shop; and
- (b) notify the nearest Labour Office in writing of such intention.

Record of whole day holiday

5. (1) The proprietor or manager of any shop, restaurant or theatre shall keep a record of the holidays given to each employee in Form C as specified in the Schedule where the employee in the shop, restaurant or theatre is entitled to be given—

- (a) under section 6 of the Act, a holiday of one whole day in each week; and
 - (b) under subsection 7(3) of the Act, a whole holiday on five other days in every year.
- (2) The record referred to in subrule (1) shall—
- (a) be kept up to date by the end of each week;
 - (b) be preserved for a period of at least one year after the end of the year to which the entries in the record refer; and
 - (c) be kept in a conspicuous place on the premises where the employees mentioned in the record worked or are working.

Duty of proprietor of shop where more than one business is carried on

6. (1) Where the same or different trades or businesses are carried on separately in one shop by different proprietors, unless the exemption mentioned in section 4 of the Act applies, the provisions of these Rules shall apply to each such proprietor in respect of his trade or business.

(2) Where a proprietor carries on the same, or more than one, trade or business in more than one shop, other than a shop included in a class of shops mentioned in the Schedule to the Act, the provisions of these Rules shall apply to such proprietor in respect of each such shop.

SCHEDULE

FORM A
[Rule 2]

WEEKLY HOLIDAYS ACT 1950

NOTICE UNDER SUBSECTIONS 3(2), 5(4) AND 7(2) OF THE ACT

Name of the *Proprietor/ Manager			
Name/Stamp of shop			
Nature of trade/business			
Address			
**Whole day closing of every week			
†Half day closing of every week	Day :	Time:	*a.m./p.m.
Additional closing days in each year			

Dated

.....
**Proprietor/Manager*

Note:

1. Notice to be displayed in the shop
2. *Delete whichever is not applicable
3. **Applicable to all shops other than an unassisted shop or a shop included in any class of shops mentioned in the Schedule to the Act
4. †Applicable to all shops in respect of which a notification in the *Gazette* is published under subsection 5(1) of the Act

FORM B
[Rule 3]

WEEKLY HOLIDAYS ACT 1950

NOTICE UNDER SUBSECTION 3(4) OF THE ACT

Name of the Proprietor	
Name/Stamp of shop	
Nature of trade/business	
Address	
Name of *wife/husband/child assistant	
Day of each week on which proprietor alone is to attend to customers	*FRIDAY/SUNDAY

Dated

.....
Proprietor

Note:

1. Notice to be displayed in the shop
2. Notice to be filled in by the proprietor of an unassisted shop
3. *Delete whichever is not applicable

FORM C
[Rule 5]

RECORD OF WHOLE DAY HOLIDAY

Name of the Proprietor/ Manager	Name/Stamp of shop/ restaurant/theatre	Nature of trade/business	Address
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..... Proprietor/Manager

Note: Entries are to be kept up to date at the end of each week ending at midnight on Saturday

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*Particulars under paragraphs 7(ii) and (iii)
of the Revision of Laws Act 1968 [Act 1]*

LIST OF AMENDMENTS

Amending law	Short title	In force from
L.N. 240/1961	Weekly Holidays (Amendment) Rules, 1961	07-08-1961

LIST OF LAWS OR PARTS THEREOF SUPERSEDED

No.	Title
L.N. 458/1951	Weekly Holidays Rules, 1951
