



Advisory on Additional Public Holiday for Hari Raya Aidilfitri for the Year 2023 □ 1.

YAB Datuk Seri Anwar bin Ibrahim, the Prime Minister had on 18th April 2023 declared an additional public holiday for Hari Raya Aidilfitri 2023. This was declared under Section 8 of the Holidays Act 1951. This additional public holiday is to be observed as a paid holiday under Section 60D(1)(b) of the Employment Act 1955. □

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2.

This additional public holiday announced by YAB Prime Minister is only applicable to Peninsular Malaysia and Labuan. For Sabah and Sarawak, their respective state governments may make the necessary declaration and thus the status of the additional holiday in Sabah and Sarawak would depend on the declaration by the respective state government of Sabah and Sarawak. □

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3.

The additional holiday is declared under the following scenario:

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i)
If the 1st day of Hari Raya Aidilfitri falls on 21st April 2023 (Friday) then the additional holiday for the Hari Raya Aidilfitri would be on 24th April, 2023 (Monday); or

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ii)
If the 1st day of Hari Raya Aidilfitri falls on 22nd April 2023 (Saturday) then the additional holiday for the Hari Raya Aidilfitri would be on 21st April, 2023 (Friday).

□

4.

Employers can therefore observe the public holiday by allowing employees the day off with pay. In the event the public holiday fall on a rest day or another public holiday, the following working day shall be a substituted paid holiday.

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5.

Employers may also request its employees to work on the holiday declared and pay the employees additional two days wages at the ordinary rate of pay. □

□

6.

Employers may request their employees to work on the holiday and inform that the holiday will be substituted on another day as provided under Section 60D(1A) of the Employment Act 1955 noting as follows:

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i.

Wages for work on that day is the normal rate, not public holiday rate. □

ii.

Employers can substitute the holiday without its employees' agreement. □

iii.

Employers have to fix the replacement date, which need not be the same date for all employees.

□

7.

Employers may therefore adopt any of the alternatives in Paragraphs 4, 5 or 6 in dealing with holidays declared under Section 8 of the Holidays Act 1951. □

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