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Designation of National Days and Observances in Canada

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DESIGNATION OF NATIONAL DAYS AND OBSERVANCES IN CANADA

1 INTRODUCTION

Scarcely a week goes by when some special day or observance is not marked somewhere in Canada. From legal holidays like Victoria Day and Canada Day, to days recognizing specific individuals or groups, to religious and cultural occasions, the Canadian calendar is replete with celebrations and commemorations.

There is no central authority in Canada responsible for the proclamation of national days. Days declared special by any public body, including municipal, provincial or federal governments or even international bodies such as the United Nations, as well as any private association, cultural group or religious institution, can be recognized in Canada.

This paper describes the processes by which a day, week or month may be recognized in Canada. It also describes the difference between observances that are legal holidays, where employees are paid for time off, and those that receive symbolic recognition, with particular attention to designations at the federal level. Federal legal holidays are set out in the *Holidays Act*,¹ the *Canada Labour Code*.² Most efforts to designate a national day or observance, including parliamentary and government initiatives, establish symbolic recognition and not legal holidays for employment purposes.

2 METHODS OF DESIGNATION

Methods of designating special observances include:

- parliamentary initiatives, such as legislation and parliamentary resolutions;
- government initiatives, such as orders in council and proclamations; and
- non-government initiatives, such as declarations by an organization or a religious or cultural group.

2.1 PARLIAMENTARY AND GOVERNMENTAL DESIGNATION

2.1.1 DESIGNATION BY LEGISLATION

Parliament can pass legislation proclaiming specific days as holidays or days of significance. A well-known example is Canada Day, celebrated on 1 July of each year. The legislation dates back to 1879, when *An Act to make the first day of July a public holiday by the name of Dominion Day* was given Royal Assent.³ Parliament passed an amendment in 1982 specifying that the day would be observed as “Canada Day.” In addition to being recognized as a legal holiday in the *Holidays Act*, Canada Day is recognized as a holiday for employment purposes in the *Canada Labour Code*, as well as in employment legislation in all provinces and territories.

Not all statutes that establish a national day also create a holiday for employment purposes. Indeed, most bills presented by senators and members of Parliament aim only to bestow a symbolic recognition on a particular day, week or month.

Any senator or member of the House of Commons may introduce a bill proclaiming a national day, and if passed by Parliament, the bill is enacted as a statute of Canada. Like any other bill, it needs to be debated and passed in both chambers before it can receive Royal Assent. In most instances, bills to establish a national observance are introduced, not as government bills, but as Senate public bills in the Senate, and private members' bills in the House of Commons, with some differences in the procedures and scheduling between the two houses. These bills have the same legal effect as bills introduced by the government.⁴

Examples of national days established by Senate public bills include:

- Autism Awareness Day (2 April);⁵ and
- National Philanthropy Day (15 November).⁶

Some national observances established by House of Commons private members' bills include:

- National Peacekeepers' Day (9 August);⁷ and
- Vimy Ridge Day (9 April).⁸

2.1.2 DESIGNATION BY RESOLUTION

In some cases, a national day or observance is established as a result of a resolution of the Senate or the House of Commons.

In the House of Commons, many resolutions come about as a result of a private member's motion, which, once adopted by the members, constitutes a resolution of the House. Such a resolution expresses the opinion of the House or calls upon the government to do something, but the government is under no legal obligation to take any action as a result of the resolution. Some private members' motions are worded such that the motion itself expresses recognition of the national day or observance, while other motions call upon the government to bestow the appropriate recognition.

For example, Canadian Forces Day is observed on the first Sunday in June as a result of a motion passed in the House of Commons on 25 April 2002. That motion read as follows:

That, in the opinion of this House, the government should, on an annual basis, proclaim the first Sunday in June "Canadian Forces Day" in recognition of the tremendous contribution by the Canadian Forces, both at home and abroad, in such areas as the defence of Canada, our NATO commitments, humanitarian assistance, disaster relief, search and rescue and peacekeeping.⁹

On 31 May of that year, then prime minister Jean Chrétien issued a statement proclaiming that henceforth, the first Sunday in June would be recognized as Canadian Forces Day.¹⁰ Since then, successive governments have issued statements marking the day each year.¹¹

Not all resolutions of the House are the result of an item of private member's business. For example, Black History Month is recognized in February following a resolution put forward by the then parliamentary secretary to the prime minister on 14 December 1995. The resolution, passed unanimously by the House of Commons read as follows:

That this House take note of the important contribution of black Canadians to the settlement, growth and development of Canada, the diversity of the black community in Canada and its importance to the history of this country, and recognize February as black history month.¹²

It was not until 2008 that a similar motion was passed by the Senate of Canada. The resolution, presented by then senator Donald Oliver, was passed unanimously:

That the Senate take note of the important contribution of black Canadians to the settlement, growth and development of Canada, the diversity of the black community in Canada and its importance to the history of this country, and recognize February as Black History Month.¹³

In his comments in support of the motion, Senator Oliver noted that the resolution passed by the House of Commons in 1995 had not, by itself, constituted a formal recognition on the part of the Parliament of Canada, since the Senate, being a component of Parliament, had not yet passed a resolution to establish Black History Month. He stated that his purpose in introducing in the Senate the motion to recognize Black History Month was to formalize the position of the Parliament of Canada.¹⁴

2.1.3 DESIGNATION BY ORDER IN COUNCIL

Not all actions to establish a national day or observance are initiated in Parliament. The government may, with or without parliamentary approval, establish such an observance by way of a proclamation or order in council. An order in council is an order by the Governor General on the advice of the Privy Council. It is usually formulated by Cabinet or a committee of Cabinet and approved by the Governor General. An example is the 1996 order in council proclaiming 21 June National Aboriginal Day.¹⁵

Other national observances that have been declared by orders in council include:

- Canadian Multiculturalism Day (27 June);¹⁶ and
- National Day of Remembrance for Victims of Terrorism (23 June).¹⁷

2.2 DESIGNATION BY AN ASSOCIATION OR ORGANIZATION

Many special days and observances have been declared by not-for-profit associations, organizations and international agencies, and there is no official list of all such observances in Canada. Usually a special day is proclaimed, inviting the public to observe the occasion and become aware of the work or social action of the sponsoring body. Such occasions may also be observed in commemoration of an event or to encourage public awareness of a specific issue.

For example, 10 December is widely recognized as Human Rights Day, a day first declared by the United Nations and now marked in many countries around the world, including Canada.¹⁸ Although no law or resolution has been passed by Parliament to recognize Human Rights Day officially, it is typically marked by comments in the Senate and the House of Commons and by statements by the foreign affairs minister. Many provincial governments, organizations, schools and universities also recognize Human Rights Day, each in its own way.

Other special days and observances that are widely recognized in Canada include:

- International Women’s Day (8 March);¹⁹
- Aboriginal Awareness Week (the four days that follow the Victoria Day weekend);²⁰ and
- Canadian Library Month (October).²¹

2.3 RELIGIOUS AND CULTURAL OBSERVANCES

Many special days and observances are religious or cultural occasions, and it is not uncommon for senators or members of the House of Commons to make comments to observe or draw attention to days of religious significance. Even when such occasions are not statutory holidays, certain legal provisions exist to allow them to be respected.

For example, the *Canada Elections Act* includes a provision to avoid holding a federal election on the same day as a day of cultural or religious significance that would make that day unsuitable as a polling day in the opinion of the Chief Electoral Officer.²²

3 LEGAL HOLIDAYS FOR EMPLOYMENT PURPOSES

Most designations of national days, weeks or months do not create any legal effect or obligations and are symbolic recognitions only. Some statutes contain a provision specifying that the day “is not a legal holiday or non-judicial day.”²³ Provisions such as these are included to make it clear that the day is not what is commonly known as a “statutory holiday” – a day off for employment or other purposes.

One example relates to Workers Mourning Day, 28 April. When a bill related to this day was introduced in 1988 by Member of Parliament Rod Murphy, it did not contain such a clause, and objections were raised that time would be lost on the job if the day were designated as a statutory holiday. That bill did not proceed past first reading, and when Mr. Murphy introduced it again in 1990, it included a clause to clarify that the day would not be a legal holiday; only then did members from all parties support the bill,²⁴ which was enacted as the *Workers Mourning Day Act* in 1991.

Even without such a provision, however, a statute marking a special day would not create a holiday for employment purposes unless an explicit clause to that effect were included. Indeed, since 1990 a number of such statutes have been enacted without the clause, and they have not created a legal holiday.

Under the *Canada Labour Code*, employees of federally regulated industries are entitled to certain days off with pay – namely, New Year’s Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day.²⁵ In addition, collective agreements or employment contracts may provide for extra days or for days that are to be substituted for those holidays. Without an amendment to the *Canada Labour Code*, a statute declaring a national day or observance would not establish a day off with pay for federal employees.

It is important to note, however, that most employees in Canada are not employed in federally regulated industries, but are subject to provincial employment standards legislation. This means, for example, that while the federal *Holidays Act* establishes Canada Day, Remembrance Day and Victoria Day as holidays, the provinces are not required to establish the same holidays under provincial legislation. This explains, for example, why some provinces keep Remembrance Day as a holiday for employment purposes, while others do not.

Provinces and territories pass legislation about holidays to be observed in their jurisdictions as well. Indeed, holidays can vary considerably from one province to the next. For example, some provinces allow for a general holiday on the first Monday in August, and a few have declared a date in February as Family Day. Quebec maintains Saint-Jean-Baptiste Day as an annual *Fête nationale*. No federal statutes, proclamations or parliamentary resolutions have any effect on any of these provincial holidays.

4 CONCLUSION

Some government departments provide a calendar of events for the year that shows special days, weeks and months.²⁶ In addition, the appendix to this paper includes a table showing national days and observances. Since there are so many special days observed in Canada, and since there is no central authority responsible for them, the table should be seen as a useful guide but not a comprehensive list of every special day observed in Canada.

NOTES

1. [Holidays Act](#), R.S.C., 1985, c. H-5.
2. [Canada Labour Code](#), R.S.C., 1985, c. L-2.
3. Canadian Heritage, [Dominion Day](#).
4. For an explanation of private members’ business and the procedures that govern it, see Audrey O’Brien and Marc Bosc, eds., “[Private Members’ Business](#),” Chapter 21 in *House of Commons Procedure and Practice*, 2nd ed., 2009.
5. Bill S-206, 1st Session, 41st Parliament, enacted as [World Autism Awareness Day Act](#), S.C. 2012, c. 21.
6. Bill S-201, 1st Session, 41st Parliament, enacted as [National Philanthropy Day Act](#), S.C. 2012, c. 23.

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7. Bill C-287, 2nd Session, 39th Parliament, enacted as [National Peacekeepers' Day Act](#), S.C. 2008, c. 27.
8. Bill C-227, 2nd Session, 37th Parliament, enacted as [Vimy Ridge Day Act](#), S.C. 2003, c. 6.
9. House of Commons, [Journals](#), 1st Session, 37th Parliament, 24 April 2002.
10. Privy Council Office, "[Statement by the Prime Minister](#)," *Former Prime Minister's Newsroom Archive (1995–2003)*, 31 May 2002.
11. National Defence and the Canadian Armed Forces, "[Canadians Pay Tribute to Military](#)," 29 May 2003; and Prime Minister of Canada, "[Statement by the Prime Minister of Canada on Canadian Armed Forces Day](#)," 1 June 2014.
12. House of Commons, [Debates](#), 1st Session, 35th Parliament, 14 December 1995.
13. Senate of Canada, [Debates](#), 2nd Session, 39th Parliament, 14 February 2008.
14. Ibid.
15. [Proclamation Declaring June 21 of Each Year as National Aboriginal Day](#), SI/96-55.
16. [Proclamation Declaring June 27 of each year as "Canadian Multiculturalism Day"](#), SI/2002-160.
17. [Proclamation Requesting the People of Canada to Observe June 23 of Every Year as a National Day of Remembrance for Victims of Terrorism](#), SI/2005-65.
18. United Nations, Office of the High Commissioner for Human Rights, [Human Rights Day](#).
19. United Nations, [International Women's Day, 8 March](#).
20. Treasury Board of Canada Secretariat, [Aboriginal Awareness Week](#).
21. Canadian Library Association, [Events](#).
22. [Canada Elections Act](#), S.C. 2000, c. 9, s. 56.2.
23. [Workers Mourning Day Act](#), S.C. 1991, c. 15, s. 2(2).
24. House of Commons, *Debates*, 2nd Session, 34th Parliament, 26 October 1990, pp. 14783–14787.
25. *Canada Labour Code*, s. 166.
26. See, for example, Canadian Heritage, [Calendar of Events 2015](#); and Health Canada, "[Calendar of Health Promotion Days](#)," *About Health Canada*.

APPENDIX – NATIONAL DAYS AND OBSERVANCES IN CANADA

The following table shows the national days and observances established under federal statutes, orders in council and resolutions of the Senate or of the House of Commons, as well as certain days recognized by federal government departments. It does not include religious observances or provincial holidays, except those also established by a federal statute, order in council or parliamentary resolution. Because of the large number of special days observed in Canada, and the fact that there is no central authority responsible for them, the table should be seen as a useful guide, not as a comprehensive list of every special day observed in Canada.

Date	National Day or Observance	Authority	Further Information
1 January	New Year's Day	Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	
11 January	Sir John A. Macdonald Day	Sir John A. Macdonald Day and the Sir Wilfrid Laurier Day Act , S.C. 2002, c. 2.	Canadian Heritage, Sir John A. Macdonald Day, January 11 .
17 January	Raoul Wallenberg Day		Canadian Heritage, Calendar of Events 2015 .
21 January	Lincoln Alexander Day	Lincoln Alexander Day Act , S.C. 2014, c. 30.	
February	Black History Month	Resolution of the House of Commons, Journals , 14 December 1995; and Resolution of the Senate of Canada, Journals , 14 February 2008.	Citizenship and Immigration Canada, Black History Month .
15 February	National Flag of Canada Day	Office of the Prime Minister of Canada, Declaration, National Flag of Canada Day , 15 February 1996.	Canadian Heritage, National Flag of Canada Day .
Third Monday in February	Heritage Day		Canadian Heritage, Heritage Day .
8 March	International Women's Day		Status of Women Canada, Celebrate International Women's Day .
Second Monday in March	Commonwealth Day		Canadian Heritage, Commonwealth Day .
20 March	Journée internationale de la Francophonie		Organisation internationale de la Francophonie, Journée internationale de la Francophonie .
21 March	International Day for the Elimination of Racial Discrimination		United Nations, International Day for the Elimination of Racial Discrimination .
26 March	Purple Day	Purple Day Act , S.C. 2012, c. 13.	Epilepsy Canada, "March 26th is now officially Purple Day for epilepsy awareness."

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Date	National Day or Observance	Authority	Further Information
2 April	Pope John Paul II Day	Pope John Paul II Day Act , S.C. 2014, c. 41.	
2 April	World Autism Awareness Day	World Autism Awareness Day Act , S.C. 2012, c. 21.	
6 April	Tartan Day		Canadian Heritage, The Maple Leaf Tartan .
Second week in April	National Volunteer Week		Volunteer Canada, National Volunteer Week .
9 April	Vimy Ridge Day	Vimy Ridge Day Act , S.C. 2003, c. 6.	
Week of 10 April	National Wildlife Week	National Wildlife Week Act , R.S.C., 1985, c. W-10.	Canadian Wildlife Federation, National Wildlife Week .
Friday before Easter Sunday	Good Friday	Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	
23 April	World Book and Copyright Day		United Nations, World Book and Copyright Day .
Last full week of April	National Organ Donor Week	National Organ Donor Week Act , S.C. 1997, c. 4.	
28 April	Workers Mourning Day	Workers Mourning Day Act , S.C. 1991, c. 15.	Canadian Labour Congress, National Day of Mourning .
A week following Passover	Holocaust Memorial Day – Yom ha-Shoah	Holocaust Memorial Day Act , S.C. 2003, c. 24.	Canadian Jewish Congress Charities Committee National Archives, Holocaust Remembrance Day .
May	Asian Heritage Month		Citizenship and Immigration Canada, Asian Heritage Month .
Week of the second Monday in May	National Mining Week	National Mining Week Proclamation , SI/95-64.	Library of Parliament, National Mining Week 2013: An Overview of Canada's Mining Industry .
18 May	International Museum Day		Canadian Heritage, Calendar of Events 2015 .
Monday preceding 25 May	Victoria Day	Holidays Act , R.S.C., 1985, c. H-5; and Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	Canadian Heritage, Victoria Day .
The four days following Victoria Day	Aboriginal Awareness Week		Treasury Board Secretariat, Aboriginal Awareness Week .
June	National Aboriginal History Month		Aboriginal Affairs and Northern Development Canada, "National Aboriginal History Month," Aboriginal History in Canada .
First Saturday in June	National Day to Promote Health and Fitness for all Canadians	National Health and Fitness Day Act , S.C. 2014, c. 34.	

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Date	National Day or Observance	Authority	Further Information
First Sunday in June	Canadian Forces Day	Resolution of the House of Commons, Journals , 24 April 2002; and "Statement by the Prime Minister," 31 May 2002.	
Week in which 5 June occurs	Canadian Environment Week	Canadian Environment Week Act , R.S.C., 1985, c. E-11.	
Wednesday of Canadian Environment Week	Clean Air Day Canada	Proclamation declaring the Wednesday of Canadian Environment Week in June of each year to be Clean Air Day Canada , SI/99-42.	
Week in which 14 June occurs	National Blood Donor Week	National Blood Donor Week Act , S.C. 2008, c. 4.	
Third week of June	National Public Service Week	National Public Service Week; Serving Canadians Better Act , S.C. 1992, c. 15.	
Week leading up to Canada Day	Celebrate Canada		Canadian Heritage, Celebrate Canada .
21 June	National Aboriginal Day	Proclamation Declaring June 21 of Each Year as National Aboriginal Day , SI/96-55.	Aboriginal Affairs and Northern Development Canada, National Aboriginal Day .
23 June	National Day of Remembrance for Victims of Terrorism	Proclamation Requesting the People of Canada to Observe June 23 of Every Year as a National Day of Remembrance for Victims of Terrorism , SI/2005-65.	
24 June	Saint-Jean-Baptiste Day/ Fête nationale du Québec		Language Portal of Canada, La Saint-Jean-Baptiste: celebrating cultural identity .
27 June	Canadian Multiculturalism Day	Proclamation Declaring June 27 of each year as "Canadian Multiculturalism Day" , SI/2002-160.	Canadian Heritage, "Canadian Multiculturalism Day on June 27," Celebrate Canada .
1 July ¹	Canada Day	Holidays Act , R.S.C., 1985, c. H-5; and Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	Government of Canada, Canada Day .
1–7 July	Canada History Week		Canadian Heritage, Canada History Week (July 1–7) .
27 July	Korean War Veterans Day	Korean War Veterans Day Act , S.C. 2013, c. 17.	
28 July	A Day of Commemoration of the Great Upheaval	Proclamation Designating July 28 of Every Year as "A Day of Commemoration of the Great Upheaval," Commencing on July 28, 2005 , SI/2003-188.	

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Date	National Day or Observance	Authority	Further Information
9 August	National Peacekeepers' Day	National Peacekeepers' Day Act , S.C. 2008, c. 27.	
15 August	National Acadian Day	National Acadian Day Act , S.C. 2003, c. 11.	
First Monday in September	Labour Day	Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	
3 September	Merchant Navy Veterans Day	Merchant Navy Veterans Day Act , S.C. 2003, c. 17.	
8 September	International Literacy Day		UNESCO, International Literacy Day .
21 September	International Day of Peace		United Nations, International Day of Peace .
Third Saturday in September	National Hunting, Trapping and Fishing Heritage Day	National Hunting, Trapping and Fishing Heritage Day Act , S.C. 2014, c. 26.	
Last Sunday in September	Police and Peace Officers' National Memorial Day	Proclamation Declaring the last Sunday in September of each year to be "Police and Peace Officers' National Memorial Day" , SI/98-97.	
October	Women's History Month		Status of Women Canada, Women's History Month .
October	Canadian Library Month		Canadian Library Association, Canadian Library Month .
1 October	National Seniors Day	Celebrating Canada's Seniors Act , S.C. 2010, c. 13.	
Second Monday in October	Thanksgiving Day	Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	
11 October	International Day of the Girl Child		Library of Parliament, The International Day of the Girl Child .
18 October	Persons Day		Status of Women Canada, Persons Day .
27 October	World Day for Audiovisual Heritage		UNESCO, World Day for Audiovisual Heritage .
31 October	National UNICEF Day	Proclamation Declaring October 31st of each year to be "National UNICEF Day" , SI/2000-84.	
11 November	Remembrance Day	Holidays Act , R.S.C., 1985, c. H-5; and Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	Veterans Affairs Canada, A Day of Remembrance .
15 November	National Philanthropy Day	National Philanthropy Day Act , S.C. 2012, c. 23.	
20 November	Sir Wilfrid Laurier Day	Sir John A. Macdonald Day and the Sir Wilfrid Laurier Day Act , S.C. 2002, c. 2.	

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Date	National Day or Observance	Authority	Further Information
20 November	Child Day	Child Day Act , S.C. 1993, c. 18.	
Fourth Saturday in November	Holodomor Memorial Day	Ukrainian Famine and Genocide ("Holodomor") Memorial Day Act , S.C. 2008, c. 19.	
6 December	National Day of Remembrance and Action on Violence Against Women	National Day of Remembrance Act , S.C. 1991, c. 36.	Status of Women Canada, National Day of Remembrance and Action on Violence Against Women .
10 December	Human Rights Day		Canadian Heritage, Calendar of Events 2015 .
11 December	Anniversary of the Statute of Westminster		Canadian Heritage, "The Statute of Westminster, 1931," Giving Canada Its Own Voice .
25 December	Christmas Day	Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	
26 December	Boxing Day	Canada Labour Code , R.S.C., 1985, c. L-2, s. 166.	

NOTES

1. Some statutes include provisions whereby the following Monday is recognized as a holiday if 1 July falls on a Saturday or a Sunday.